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ABSTRACT

This final report provides a summary of the background, activities, and recommendations of the Assembly on University Governance at Syracuse University. Chapters cover events leading up to the Assembly, the preparatory commission, early proceedings of the governance Assembly and its committees, preparation and Assembly consideration of the structures committee report, proposal of the Assembly on University Governance, the plebiscites, and appraisal of the Governance Assembly. Appendices include resolutions passed, reports of the Senate Committee on Governance, apportionment of the assembly with delegate selection procedures, a keynote address concerning governing the university, bylaws and rules of the Assembly, report of the structures committee to the assembly on university governance, minority report of the structures committee, and statements for and against the final report. (Author/MJM)

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THE 1970-1972

ASSEMBLY ON UNIVERSITY GOVERNANCE

at Syracuse University

FINAL REPORT

Prepared and Distributed by the

Final Report Committee of the Assembly

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PREFACE

During the late 1960's governance emerged as a major issue on many American campuses. At Syracuse it arose over who should decide the place of reserve officer training (ROTC) at the University. Demonstrations in the spring of 1970 led to a "town meeting" and a subsequent University Senate resolution to establish an Assembly on University Governance. Its charge was to study and make recommendations regarding the entire decision-making structure of the University.

The Assembly was convened in the fall of 1970 in accordance with specifications drawn up by a preparatory commission appointed by the Senate. The Assembly consisted of 331 delegates: students, faculty members, administrators, staff members, parents, alumni, and trustees. It had an elaborate system of committees: Steering, Credentials, Resolutions, Goals, Structures, Academic Planning, Non-academic Planning, Fiscal Resources, Community Relations, Final Draft, and Final Report.

The Assembly deliberated for nearly two years, completing its proposal to the community in May, 1972. The proposal called for the delegation of penultimate decision-making authority in all but a few matters, to a University Governing Council (UGC), composed of an equal number of students and

faculty members, and a few staff members. It provided for a veto by the Chancellor, but this was subject to override by a two-thirds vote of the UGC. Essentially the Assembly called for a shifting of considerable power from the trustees and administration to the UGC and a sharing of power by students and faculty within the UGC.

In October, 1972, separate simultaneous plebiscites of students, faculty, and trustees were held to test the will of the University community. Neither the trustees nor the faculty favored the proposal; only the students voted to approve it. Since all three constituencies had had to endorse the document to mandate it, the proposal was not ratified.

Despite the defeat of its proposal, the Assembly on University Governance had considerable significance for Syracuse University, and indeed for higher education. Its very existence reflected the uneasiness of many over processes of decision-making in the University; its proposal reflected the considered judgment of many about changing the existing authority relationships in the institution; and the defeat of its proposal reflected the will of the University community. Some other proposal, or a modification of this one, might have passed. This is not to say that this one was not worthy or useful.

The Assembly was as important for what it did, as for the nature of the response it elicited. Certainly much has been learned and can be learned from consideration of both its process and its proposal.

This Final Report is written to provide a summary of the background, activities, and recommendations of the Assembly. No claim is made that the account is complete, but it is as accurate as the Final Report Committee could make it. Selected documents have been included in the Appendices to provide basic source material, but the reader who is interested in the details of the Assembly's work is referred to the Syracuse University Archives, where full transcripts of its proceedings, minutes of its meetings, committee reports, and other records are available for inspection and study.

The Assembly on University Governance and this publication were supported by a grant from the Ford Foundation, which was matched by donations from students, faculty, and the University. As important as these dollar investments was the personal investment made by the delegates of the Assembly, who met for almost two years on their own time to develop the final proposal. In a real sense, theirs was a labor of love for the University,

and it should not go unacknowledged. Their names are too numerous to mention here, but the University community owes them no less a debt of gratitude.

The Final Report Committee wishes to thank two staff members of the Assembly, Teresa Csaposs and Robert Snyder, for their editorial and secretarial assistance.

In a sense all of these people have their reward, for while the proposal of the Assembly was not ratified, the Assembly was certainly an important educational venture in the life of the University. Those who were involved and many who observed its operation learned much from the processes and the outcome. Hopefully this report will extend to others the insights we gained.

Syracuse University
March 1, 1974

Final Report Committee
Allen J. Barduhn
W. Howard Card
John D. Diehl
David L. Dresser
John J. Hills
Elliot S. Wheeler

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Chapter I

EVENTS LEADING UP TO THE ASSEMBLY

The American university, while aspiring to cultivate an ideal of disinterested inquiry, has nevertheless been increasingly called to serve society, to provide practical knowledge and skills to an increasing percentage of the population, and to satisfy political demands. The tensions between the opposing claims on it have always contained the potential for disrupting the internal peace of the university, and have increased with the growing pressures of outside exigencies and objectives.

Since World War II, especially, the university has been growingly politicized, through increased faculty and student involvement in outside matters, and through increased governmental and business involvement in university affairs. The politics of American society have become miniaturized in the politics of the campus. External issues such as Vietnam and internal issues such as the securing of power to and by previously ignored groups--e. g., blacks--have made their force felt, at Syracuse as elsewhere. By a natural analogy and because of the increasing interconnections with the outside, a matter internal to the universities themselves, university governance, the making of

decisions and control of resources within the universities, became an issue on campuses in the late 1960's, sometimes with eruptive force. Syracuse University, like other major private and public universities was not spared, though it escaped the most extreme expressions of violence on this score. It saw instead the convening and deliberations of an Assembly on University Governance.

I. The Growth of Campus Dissension

For over two decades before 1969, the governance of Syracuse University was dominated by a strong Chancellor, Dr. William P. Tolley, who developed Syracuse into a large and nationally-known university. But towards the end of his tenure, his strong and even paternalistic style, which had been accepted quietly earlier, came to be resisted by many faculty members and students. The faculty members wanted the University Senate to be more than a pro forma advisory body, and the students wished to have more control of their extracurricular lives--and then a few other things.

After a brief period(1928-34)in which two trustees were members, the University Senate was composed entirely of administrators and faculty members until 1969. Relatively powerless though it was, the Senate gradually increased its influence and, by the 1940's,

was called upon to endorse University adherence to AAUP principles of academic freedom and tenure, and had become involved in discussion of athletics and in loyalty-oath controversies. It was still impotent, however, in regard to most non-academic matters. After its reorganization in 1953, it met monthly, not quarterly, and handled a larger variety of items than previously. But it had a long way to go in procuring for the faculty a strong voice in the overall policies of the University.

Students before 1969 had not bothered themselves much about matters of university governance, except on rare occasions. One recurring cause of dissatisfaction was the regulation known as "Rule One."

> Attendance at the University is a privilege, not a right. The University reserves the right to request the withdrawal of any student whose presence is detrimental. Specific charges may or may not accompany a request for withdrawal.

The number of students who were summarily ejected on this basis over the next forty-five years is unknown; but "Rule One" became increasingly resented.

By 1950 there were five all-University committees containing students as well as faculty members; one of these even contained trustees. But the student input was negligible. Student governments up to that time had concerned themselves primarily with drinking and curfew regulations and with scheduling social functions.

Leo Taub, however, the president of the men's student government in 1949-50, called for several striking innovations. He proposed (1) that the presidents of the student governments should sit on all policy-making boards of the University, including the Board of Trustees; (2) that there should be a student fee controlled by the student governments; and (3) that fraternities should eliminate their discrimination clauses. After months of controversy, the first two proposals that Taub had raised became dormant. The third was slowly implemented.

For another decade and a half, the men's and women's student governments wrangled over unification with each other, football rivalries, curfews, social affairs, alcohol, panty raids, sex scandals, and dress and morality codes. Meanwhile there were flareups of resentment at the attempted censorship of student publications, The Syracusan (in 1962) and The Sword of Damocles (in 1964). Shortly before Chancellor Tolley retired student complaints increased. In April, 1969 a group calling itself "Students for a Better University" presented an eleven-point program that called for reforms in student life, curriculum, and University governance; and it organized a one-day boycott of classes to publicize its goals. The students did win dormitory autonomy that spring, the right to establish their own rules for dormitory life.

Meanwhile, in response to growing tensions on this campus and ominous echoes from other ones, the University Senate undertook a self-evaluation in November, 1968. It charged a Committee

on the Reorganization and Reapportionment of the Senate with looking at and making recommendations about the larger problems of governance facing the University. The February, 1969 report of the so-called Gardner Committee called for "greater participation by all segments of the University community in setting University policy." The report asked not for faculty-student control of the University, but rather for greater participation, communication, disclosure, and consultation. Out of this report came changes in the Senate which, with the Trustees' concurrence, gave the faculty one-half, the students one-fourth, and the administration one-fourth of the representation in the Senate, beginning in the fall of 1969.

2. Triggering Events

Many students hoped that the presence of students on the Senate would lead to the satisfying of their most long-standing grievances. But the turn of events first frustrated their energies, then diverted them to larger targets. A new Chancellor, John E. Corbally, arrived on campus that fall. No sooner had he assumed office than several financial and curricular crises came to a head. In particular, the nature and appropriateness of the ROTC program were challenged. A Senate committee in the previous year had recommended eliminating academic credit from ROTC courses not taught in the traditional academic departments and removing faculty rank from the ROTC staff. After much inconclusive discussion in the Senate, continuing into February, 1970, Chancellor Corbally decided to take what

he called "somewhat unilateral action," placing ROTC in a separate University division, but retaining academic credit for its courses and faculty rank for its officers. While the Senate had refused to adopt its own committee's proposals, many senators, especially students, were incensed at what they considered to be a usurpation by the Chancellor of Senate prerogatives in academic programs.

The next morning, February 19, 1970, approximately fifty students, led by David Ifshin, president of Student Government, occupied the Administration Building to protest the Chancellor's action. After some negotiations that day, it was agreed to call a "Town Meeting" of students, faculty, and administration to discuss issues pertaining to university governance and to formulate proposals to be placed on a university-wide referendum. The Town Meeting was held on February 26, in the Manley Field House. Approximately 3,000 people attended.

The meeting, chaired by Professor George Alexander of the Law School, began with statements by Professor Eric Gardner, chairman of the Gardner Committee whose report was discussed above, David Ifshin, and Chancellor Corbally. The remainder of the meeting was concerned with the consideration of nine resolutions that were offered for placement on the referendum. The rules of the meeting stated that a 20 per cent affirmative vote of those present at the meeting was necessary to place a resolution on the referendum. At the end of the day, four resolutions had been accepted.

The first resolution adopted was presented by the Student Government. It proposed in part that "the Board of Trustees shall transfer all of their residual power to a governance structure to be determined by a constitutional convention of the University community." The second resolution, put forth by an undergraduate "Committee for Participative Governance," called for a number of limited shifts of power from the Trustees to the faculty and students. The third resolution, advanced by the campus chapter of the Young Americans for Freedom, proposed leaving authority in the hands of the Trustees and denied "students' supposed right to determine the policy of a private institution." The fourth resolution, put forth by a faculty member, called for a disclosure of all University financial records and for a financial summary to be published yearly in the Daily Orange, the student newspaper. This item would call for a yes/no vote on the referendum; whereas the other items--the three governance resolutions--competed against each other for the voters' approval. Student, faculty, and administration votes would be recorded separately. The four resolutions and the complete referendum results are shown in Appendix A.

The response of the faculty and administration to the fast-moving events of February and March--the student sit-in, the Town Meeting, and the referendum--was generally cautious. The Faculty of the College of Liberal Arts passed a resolution calling for changes that included adding students and faculty members to the Board of Trustees and prohibiting a Chancellor's

veto over Senate action concerning academic affairs, while urging confidence in the existing Senate. The School of Journalism stated its opposition to decisions made "through hastily-called mass meetings and through referenda presented without ample time for debate." The campus chapter of the AAUP endorsed the idea of a constitutional convention.

3. Referendum Results and Senate Actions

Chancellor Corbally stated that no direct action would be taken by the administration as a result of the referendum; rather, any results would be referred to the Senate for its review and possible action. On March 4, the Senate voted to establish a broad-based committee, including trustees, to consider the results of the referendum.

The results of the referendum, held on March 6, showed substantial difference of opinion between the various constituencies. A clear majority of students voted for the Student Government proposal calling for substantial change. Almost one-half of the faculty voted for the more moderate second proposal. The administration divided most of its votes between the second and third resolutions. The fourth resolution, calling for a disclosure of financial information, was overwhelmingly favored by students and faculty, while slightly more of the administrators voted no than yes.

At its March 18 meeting, the Senate approved the membership of an ad hoc Committee on Governance and a resolution calling for this committee to set up a constitutional convention. On

April 15, Professor Donald Kibbey, chairman of this Committee, presented the Committee's report to the Senate. The report called for the convening of an Assembly on University Governance in the fall of 1970. The Assembly would restrict its concerns to "University-wide policies and University-wide institutions." All constituent groups of the University were to be represented, with the Assembly's size to fall somewhere between 200 and 500 members. To organize the Assembly--its apportionment, election procedures, committee system, and rules of procedure--a Preparatory Commission on University Governance would be created composed of three trustees, two administrators, seven faculty members, three graduate students and four undergraduate students. A paid staff of three to help the Preparatory Commission was to be provided. The acts of the assembly would be subject to ratification in separate simultaneous plebiscites by the students, faculty, and trustees. (The full text of the Kibbey Committee report appears in Appendix B.)

The Senate accepted the Kibbey Committee's report. The members of the Preparatory Commission were nominated by the Senate Agenda Committee. The work on the Commission was delayed, however, by the nationwide student strike in May over the American invasion of Cambodia and the Kent State killings. It should be emphasized that the idea of and initial steps towards organizing the Assembly preceded the May strike and were not an outcome of the strike, as many people later mistakenly believed.

Chapter II

THE PREPARATORY COMMISSION

The members of the Preparatory Commission were nominated by the Senate Agenda Committee's Subcommittee on Nominations and approved by the Senate at its April meeting.

1. Getting Started

The Preparatory Commission first met on Friday, May 8, 1970. Probably because of the student strike during the week a quorum was not present, so that a permanent chairman of the Commission could not be elected. Some members wanted a trustee to be chairman, hoping thereby to ensure full participation by the Board of Trustees in the future work of the Assembly on University Governance. Other members wanted a faculty member to be chairman. Professor Theodore A. Bickart was elected as temporary chairman.

The Commission had been provided with a budget, office space and secretarial assistance by the central administration. Although no permanent chairman had been elected, it was decided to go ahead and hire the professional staff, an action confirmed at the second meeting. It was tentatively decided that each member, whether undergraduate, graduate, or faculty, should be paid the same amount--approximating what a graduate assistant is normally paid by the University. Students were to be paid full-time during the summer and half-time with remitted tuition during the following year. It was

initially decided to hire three staff members. Advertisements soliciting applications were placed in the campus papers--the Daily Orange and Dialog--and announcements were made over WAER, the campus FM station. Within a week the hiring subcommittee had decided on three applicants, all graduate students, chosen on the basis of their enthusiasm for the job and their prior knowledge or experience in similar endeavors.

Hiring all graduate students was not acceptable to the undergraduate members of the Commission. They felt that the undergraduate view was needed everywhere, so it was agreed to hire an undergraduate as a fourth staff member. This meant requesting more money--another $4,000--since $12,000 of the original $14,000 already allocated to the Commission was committed to the first three staff people, leaving $2,000 for supplies (see section 7 below).

2. The Preparatory Commission Meets the Board

The June semi-annual meeting of the Board of Trustees provided an opportunity for the members of the Commission to explain to the Board the plans that were taking shape for an assembly on governance. It also provided members of the Board with the opportunity to consider these plans and to express their views on recent campus events.

The Commission, realizing that the Board had not had much chance to hear firsthand about the proposed Assembly, suggested to the Chancellor that the full Board be invited to the campus

on Friday, June 4, to meet with the Commission, which he did. Included in the program were four small-group discussion sessions--led by members of the staff of the Commission--followed by a general discussion. Although the purpose of the meeting was to provide information to the Board about the Commission and the Assembly, some time was taken by Board members to voice strong objections to current styles of students (e.g., long-haired males). Many Board members expressed the desire for better communication between students on the one hand and trustees and alumni on the other. It was clear, however, that the Board members were concerned about the crisis in governance, and felt that the Assembly would be an appropriate body for the study of University governance.

The next day, June 5, three Commission members attended the regularly scheduled Board meeting. The Chancellor supported the Commission and the Assembly, and the Board passed a motion sanctioning the work of the Commission. Moreover, the discussion at the Board meeting clearly indicated that the Trustees expected to participate fully in the forthcoming Assembly.

3. Assembly Apportionment

At the June meeting of the Commission directions were given to the staff to start work on (1) apportionment of the Assembly; (2) determination of Assembly size; (3) studies of previous decision-making at the University. But specific instructions were not given to the staff, because it was felt

that individual staff members should work pretty much on their own. By then the feeling that a Board member should be chairman of the Commission had dissipated, and Professor Bickart was made permanent chairman. One staff member was sent to the University of Toronto for three days to observe the governance assembly taking place there.

At the two-day mid-July meeting of the Commission, decisions were made about the size of the assembly and the apportionment of delegates (see Appendix C). The specified size was set at about 330--almost midway between the 200- and 500-member limits earlier recommended by the Kibbey Committee. After considerable discussion, apportionment percentages were set on the basis of demographic studies of the University community made by the Commission staff. The members of the Commission made a deliberate effort to include representation from all the constituent groups of the university--from trustees to hourly employees--while at the same time providing heaviest representation to the faculty and students. The following reasons were given for the greater representation of students (150) than faculty (120): (1) There are more students than faculty members, hence it is more difficult to get meaningful representation from the student constituency; (2) students had played a vital role in the inception of the Assembly by their protests earlier in the year; (3) the Commission believed that students would not vote in a bloc and would not try to dominate Assembly proceedings on the basis of partisan

interests.

A specified percentage of the faculty and student delegates was to be elected on an at-large basis. This was intended by the Commission to permit those who had a broad constituency or those who wished to appeal beyond their individual school, college, or department, to have an opportunity to do so. In other words, broad as well as narrow representation was provided. In addition, at-large faculty candidates were to be chosen by rank in proportion to the size of their groups: (1) full, (2) associate, (3) assistant professors, and (4) lecturers and instructors. This was intended to insure a deeper representation in the Assembly than in the existing Senate.

The Commission was nearly unanimous in its desire to have at least ten trustees as Assembly delegates in order to permit greater involvement of the Board in the Assembly's work. However, the trustee members of the Commission pointed out that it would be very difficult to have that many trustee delegates because of the great distances many would have to travel. Since only local trustees would be able to attend regularly the frequent meetings anticipated for the Assembly, the Commission accepted a trustee delegation of five. It also decided that twenty Administrators, twenty staff members, ten alumni and five parents should represent their respective groups in the Assembly.

4. Preparation of Bylaws for the Assembly

Another major assignment of the Commission was to prepare a set of bylaws for the Assembly. Many possible sets of procedures and committee structures were considered before the Commission settled on its final proposals at its September meeting.

The proposals included recommendations on minimum committee sizes along with specifications for the apportionment of membership among the various groups to be represented in the Assembly. The committees (and minimum sizes) proposed were (1) Steering Committee (five); (2) Goals Committee (eighteen); (3) Structures Committee (eighteen); (4) Credentials Committee (six); (5) Final Draft Committee (six); (6) Final Report Committee (six); (7) Working Committees (five each): (a) The Academic Planning Committee; (b) The Non-academic Planning Committee; (c) The Fiscal Resources Committee; (d) The Community Relations Committee.

The Preparatory Commission had certain expectations for the committees. The first three were to be the most important. The Steering Committee, similar to an agenda committee, was to be the major administrative and control agency for the Assembly. The Goals and Structures Committees were to develop the major parts of what would become the final proposal produced by the Governance Assembly, with the Structures Committee incorporating the work of the working committees into its own proposal. Each Working Committee was to study existing decision-

making structures and processes in its area of concern. The Working Committees were furthermore urged to make recommendations where changes were needed. The Credentials Committee was to recommend solutions to conflicts over elegibility for membership in the Assembly. The Final Draft Committee was to polish up the phrasing in the ultimate governance proposal; the Final Report Committee would write a history of the whole undertaking.

Because of their importance, the membership of the first three committees was prescribed in the proposed bylaws for the Assembly. The Steering Committee was to be made up of two faculty members, one undergraduate, one graduate student, one trustee, and one other person from the PASTA (Parents, Alumni, Staff, Trustees, and Administrators) group. The Goals and Structures Committees were each to include seven faculty members, three undergraduates, three graduate students, one black student, one trustee, one staff member, one administrator, and one alumnus. Membership in all other committees was open and not specified in the proposed bylaws.

A detailed subcommittee structure had been suggested by the Commission staff for the Working Committees, especially for the Academic Planning Committee. The Commission itself, however, decided not to include subcommittees as part of its proposed bylaws, lest it appear to be binding the Assembly to a specific approach to its work. Instead, the structures of subcommittees were to be presented as suggestions to the Committees before they began their work.

Three caucuses--students, faculty and PASTA--were to be organized for the purpose of electing members to the Steering Committee. The Commission proposed that the Steering Committee would then nominate slates of delegates for all other committees from delegate self-nominations. All committee appointments (and, of course, the bylaws themselves) were subject to the approval of the full Assembly.

5. Selection Procedure for Assembly Chairman

The Commission next took up the problem of selecting a chairman for the Assembly. Originally, the Commission assumed that its charge (as derived from the University Senate resolution) included broad powers to delineate fairly specifically the Assembly's structure and composition, and to select the Assembly Chairman. Eventually it decided to propose three persons (rather than one) to the Steering Committee and the Assembly for fear of being accused of dictating to the Assembly. As is reported below, the Assembly elected its chairman from among several nominations, including nominations from the floor.

6. Fall Activities of the Commission

The Commission set itself the objective of getting the elections completed in time to have the first meeting of the Assembly before Thanksgiving (November 28, 1970). If that deadline was not met, the Assembly probably could not get down to business until the Spring semester. Therefore, the Commission sent out approximately 20,000 mailings of information

and conducted the student elections (using machine counting of ballots for the first time in a large-scale election on this campus). There were very few complaints of election irregularities.

7. Financial Support

The budget of the Preparatory Commission and the Assembly on University Governance grew in stages from a start at $10,000 to about $35,000. First, the Kibbey Committee obtained an authorization from the Chancellor for $10,000. Verbally, the Chancellor authorized up to $14,000, which was enough for three staff members at $4,000 each plus $2,000 for supplies. When the undergraduate staff member was added, the amount was raised from $15,000 to $16,000 by the Chancellor. Then some of the Provost's money was allocated for supplies to raise the total to $18,000.

During the summer, Commission Chairman Bickart applied to the Carnegie, Ford, and Esso Foundations for financial support. The Ford Foundation offered to provide $10,000 in return for $9,000 to be put up by the Board of Trustees, the faculty, and the students. The Board's share ($4,000) and students' ($3,000 from student fees) were soon forthcoming. After several solicitations, the faculty share ($2,000) was finally obtained.

Chapter III

EARLY PROCEEDINGS OF THE GOVERNANCE ASSEMBLY AND ITS COMMITTEES

1. Phases of Assembly Work

It was originally hoped that the Assembly on University Governance would complete its work during the 1970-71 academic year, but this proved not to be possible, in part because many scheduled meetings could not be held for want of a quorum, and also in part because the report of the Structures Committee resulted in protracted debate.

For convenience in reviewing its work, the meetings of the Assembly can be thought to comprise four distinct phases. First came an organizing phase of four sessions in November and December, 1970, during which the Assembly adopted bylaws, chose a chairman, and disposed of some procedural matters. Next came a series of three meetings in the first half of the spring semester of 1971, during which reports were heard from several of the major committees. The third phase consisted of eight meetings between the spring vacation and the end of the term, during which the Assembly tried desperately, but without success, to finish consideration of the report of the Structures Committee and to complete its work. The fourth phase was the series of meetings spanning almost the whole 1971-72 academic year, devoted mainly to completing the final proposal. At the last moment, and by the slimmest of votes, the plebiscites required to ratify the proposal were postponed

until the Fall of 1972.

2. The Assembly Gets Under Way

The Assembly on University Governance met for the first time on Monday, November 23, 1970, in Hendricks Chapel, with Joseph Bryant, Chairman of the English Department, as Interim Chairman. Because this first meeting had been postponed several times in order to complete the work of choosing delegates, Chancellor Corbally could not be present to deliver his opening statement; it was read instead by Assistant Chancellor Clifford L. Winters, Jr. Chancellor Corbally expressed support for and optimism about the work of the Assembly, and thanked the Preparatory Commission for its work. He asked the delegates to approach their tasks in a positive manner. He said, "Your mission is to review and to recommend improvements in our decision-making processes." He also said that "the University has a great stake in your success, and the results of your efforts will have major and long-lasting effects."

The Chancellor's brief remarks were followed immediately by the Keynote Address (Appendix D) delivered by Alan K. Campbell, Professor of Political Science and Dean of the Maxwell School at Syracuse University. Dean Campbell commented on the mutual mistrust of the University and the external world, and suggested that "today's unusual bitterness stems not only from the criticisms of society coming from the pens and voices of scholars, [but also] from our

seeming inability to govern ourselves." He went on to say, "You will have to try to create a decision system which is capable of making decisions, while providing the opportunity for all of the affected constituent units to participate in the decision-making." After reviewing further the tasks before the Assembly, he warned that the primary function of a university is not its governance. Rather, the governance system operates only to provide an environment in which the "real work" of the members can take place. He defined the real work as teaching, research, scholarship, and the creative work of the artist. It became increasingly obvious as the Assembly worked during the next eighteen months that Dean Campbell had clearly perceived its tasks and its hazards.

The Assembly turned immediately to the task of adopting a set of bylaws to govern its own proceedings. Although the Steering Committee had hoped that the bylaws developed by the Preparatory Commission could be accepted in their entirety by one motion, there was too much mutual mistrust among the delegates for this to happen. Consideration started section by section.

Among the amendments accepted were a provision to make committee meetings open; a provision limiting each delegate to being on only one committee; establishment of a Credentials Committee and a Resolutions Committee; a provision that opportunity be provided for two speakers for and two against every main motion before a vote could be taken.

Among the amendments proposed and not accepted were a motion to establish a fourth caucus (in addition to faculty, student, and PASTA) which would include full-time clerical staff, hourly employees, non-academic professional staff, and part-time students; a provision for absentee and proxy voting; and a provision permitting visitors to address the Assembly at any time.

It took two sessions and part of a third to complete work on the bylaws. (See Appendix E for final bylaws.) Then the Assembly proceeded to choose the Chairman and Vice Chairman for the Assembly. On the second ballot Neal P. McCurn, an alumnus and Chairman of the Syracuse Common Council, was chosen Chairman; and Frederic J. Kramer, Chairman of the German Department and former Dean of the College of Liberal Arts, Vice Chairman.

The delegates recognized that the most important committee was likely to be the Structures Committee, so its membership was a matter of great interest. A motion to remove the eighteen-member limit proposed by the Steering Committee was defeated, and there was much wrangling over the procedure for nominating and electing members. Balloting was necessary to choose members for both the Structures Committee and the Goals Committee.

Committee preferences had been solicited by the Steering Committee, and it was understood that any delegate could get a committee assignment, although not necessarily of his choice.

A motion was passed to elect the slates nominated by the Steering Committee for all the committees other than Structures and Goals.

With bylaws adopted, a Chairman and a Vice Chairman chosen, and committee assignments made, the meeting of December 7, 1970 marked the end of the first, and probably the most heated phase of the Assembly proceedings.

3. Reports of the Credentials Committee and Goals Committee

During the second phase of the Assembly proceedings, reports were heard from six committees. (All reports by committees submitted to the Assembly are to be found in the University Archives.) These sessions were poorly attended, and the start of meetings was frequently delayed because of the lack of a quorum.

At the February 16, 1971 meeting, the Credentials Committee reported on its work of resolving misunderstandings about the eligibility of candidates for election to the Assembly, and of clearing up other election difficulties. There seemed to be no serious problems, and no Assembly action was taken. The Assembly then heard the initial report of the Goals Committee.

The Goals Committee had held seven meetings in a three-month period, and also an open hearing on goals at which the University community was invited to express its views. The initial report revealed that there had been a good deal of confusion and soul-searching on the Committee's part. Was

its function to articulate goals for the University pertaining solely to governance, or general goals which treated governance as a subordinate matter? Was it to present general goals allowing a broad range of interpretation, or specific, unequivocal goals capable of but one interpretation? Should it generate a statement of goals to guide the Structures Committee and the Assembly, or should it wait and attempt to draw out the goals implicit in the Assembly's final proposal? For that matter, could any educational philosophy be agreed on by the University community?

The initial Goals Committee report stressed the University's function as a place where each member could "grow in understanding and refine his capacity for developing enlightened personal and social values." Governance arrangements should derive from the consent of those affected, relying on "mutual trust, cooperation, free discussion, respect for the dignity of others, and openness to constructive change." The University had an obligation to serve "the larger society," while preparing its members "for significant participation in any society." Its members could also challenge "society."

The Assembly was critical of this initial report. The report was attacked as a flowery essay making the University into a moral authority which taught that there were in fact no standards of morality. Of great concern to many Assembly delegates was the omission of an explicit statement that the pursuit of knowledge was a goal of the University. Several

delegates felt strongly that the moral issues raised by the pursuit of knowledge, and the effect that knowledge has on the quality of life, needed fuller consideration. Several others wanted a strong statement on academic freedom.

After the discussion in the Assembly, the Goals Committee returned to its deliberations, presenting at a later Assembly meeting a revised statement of goals which became the preamble to the final proposal of the Assembly on University Governance. Since little reference was made to goals at subsequent meetings of the Assembly, it appears that the report of the Goals Committee had little impact.

4. Community Relations Committee and Fiscal Resources Committee Reports

At the March 16, 1971 meeting, the Community Relations Committee presented what it called an "interim report," although this was the only report it ever submitted. The twenty-seven-member committee had held closed meetings at which position papers were presented by two or three members and discussed. Its research assistants had prepared and conducted a survey of University-run community services, and had summarized studies of university-community relations elsewhere.

The Committee, accepting good community relations as a necessary University goal, saw a need for improvement in the University's existing relations with the Syracuse metropolitan community. This need stemmed from the lack of effective

communications and the lack of well-defined University structures dealing with such a concern. To improve community relations, the Committee requested the establishment of an office of Vice Chancellor for University Relations and of a Community Relations Council that would include members from the Syracuse metropolitan community as well as from the University. The Committee also asked for the centralization of information services under the new Vice Chancellor so that information could be presented accurately and completely to alumni, parents, and the media; it even hoped for the putting out of a newsletter aimed at local, state, and national legislators.

Discussion by the Assembly of the Community Relations Committee's proposals revealed an appreciation of the Committee's work and a concern for the seriousness of the problems to which it had addressed itself. One cautioning voice urged that the University should concern itself (by implication, only) with such things in the community that it could do something about; another warned against embarking on a "Madison Avenue" public relations campaign. The Committee had also addressed itself to the problems of improving communications and relations <u>within</u> the University, and had proposed the establishment of the office of Ombudsman to that end. The Assembly was most sympathetic to the idea of there being an Ombudsman to help people frustrated by the complexities of University procedures.

Also discussed on March 16 was the "Interim Report" of the Committee on Fiscal Resources. In its report the Committee reviewed the methods by which financial decisions had been made in the past, and suggested several possible future procedures. In the past there had been an almost total lack of planning, except about construction of the physical plant; and administrators had been unwilling to accept participation by others even in that matter. The most needed reform was the disclosure and evaluation of information before financial decisions were reached--which could be provided for if there were specific budget cycles set up allowing time for discussion, and financial evaluation committees charged with examining the information. As to such committees, they could be committees of a Senate-like body, to provide faculty and student involvement; they could be committees of special interest groups (such as a faculty association or a staff union) that bargain separately; or they could be a few select committees working in close liaison with administrative offices reporting to various University groups. It did not, the Fiscal Resources Committee thought, seem feasible to establish a financial veto power in the governance structure. The Committee was not yet ready to make final recommendations. (Indeed it never made any.) Since a quorum had been lost by the time discussion of its Interim Report was completed, no Assembly action was taken on its proposals. Nor was any specifically taken at later meetings, the pressure of other business being too great.

5. Report of the Academic Planning Committee

After holding an open hearing, and dividing into sub-committees to speak with central administrators, deans, departmental chairmen, and others, the Academic Planning Committee developed a sixteen-page Report, with seven appendicees, which it presented to the Assembly on March 23, 1971. The committee interpreted its charge as to deal broadly with structural arrangements in the University affecting academic activities rather than to suggest academic policy. It made numerous detailed and far-reaching suggestions affecting the Board of Trustees, the central administration, the various colleges and departments, faculty, and students. In general, the effect of the suggestions was to increase the accountability of those higher up in the table of organization to those lower down, while recognizing appropriate areas of autonomy for each level; to improve communications and the flexible coordination of efforts to cope with changing conditions.

The Report recommended reconstituting the membership of the Board of Trustees to include thirty-five voting members, most of them elected by faculty, student, and staff assemblies, and the Alumni Association; the rest elected by those already by the afore-mentioned groups. No one connected with the University in a full-time capacity could be a voting trustee; voting trustees would hopefully represent a greater diversity of age, vocation, and geographical distribution than does the present board. Voting members should have four-year renewable

terms. As liaison between the Board of Trustees and the rest of the University there should be an Advisory Board composed of the Chancellor, Vice Chancellors, three faculty members, three students, and two staff members. The Advisory Board could participate in meetings of the Board of Trustees and also those of the latter's Executive Committee. The Board of Trustees would continue as the legal authority for the University to appoint, oversee, and possibly dismiss the Chancellor, and to protect the integrity of the academic process against interference from whatever source. But authority of the Trustees over academic matters would be limited, and Trustee power to appoint and fix salaries of teachers and of all officers below the level of Chancellor would be deleted.

In a similar spirit, to increase the Chancellor's accountability, he would serve for a limited, renewable term of office, and appoint other high officers in consultation with appropriate selection committees from affected segments of the University community. He would consult with a General Council elected by and accountable to faculty, student, and staff assemblies; this Council would have the power to send decisions back to the Central Administration for modification or to prevent implementation of major decisions unacceptable to it. To help the General Council, there might be an Advisory Committee on Recruitment and Admission; and to help the Vice Chancellor for Academic Affairs, the Council on Academic Innovation should be

continued--but be composed of elected members.

The recommendations of the Academic Planning Committee about Schools and Colleges of the University numbered ten; but only two were included in the body of the Report, because the Committee felt that the rest required further study, were too specific, or fell outside the scope of its responsibilities. The two proposals called for the selection of college deans by student-faculty search committees with concurrence of the Vice Chancellor for Academic Affairs, the deans to have fixed, renewable terms of office; and for the establishment of a College of Developmental Studies. This new college would provide an academic home for programs which do not naturally fit into the current colleges--programs such as Non-violent Studies, the Afro-American Studies, ROTC, and the Community Internship Program. It would also be a place for the widest experimentation with new kinds of courses, instructional methods, technological aids, learning environments, student-teacher relationships, etc. Faculty and students taking part in this new college would be self-selected, and the college could and should coordinate arrangements with existing colleges.

The Academic Planning Committee Report exercised self-restraint also with regard to departments, recognizing the established strength of the principle of departmental autonomy and the great variety of departmental sizes, educational objectives, and needs. But the Report did call for departmental assemblies composed equally of faculty and students to

determine departmental organization; for greater junior-faculty and student participation in departmental matters; for a combination of elective and appointive procedures in selecting members of departmental committees; for no longer than a five-year renewable term for the department chairman.

For the special academic units, such as University College and Summer Sessions, the Report recommended that there be maximum feasible separation between academic and administrative matters, with academic control completely in the departments and colleges. In the interest of maintaining standards and academic freedom, the proposed General Council of the University should exercise overall surveillance of all special programs; there should also be an all-University office created to direct administrative aspects of the programs. In the interests of insuring maximum participation by students in the programs, there should be special and continuing efforts made to get student feedback about the programs.

Other recommendations of the Academic Planning Committee included better communications and coordination of efforts between these and the schools and colleges. Since existing official channels don't work, a Communications Systems Board should be set up, composed of members from different segments and levels of the University community to advise useful organizational and procedural policies. Furthermore, the individual professor should be allowed to decide on the subject matter of his research, subject only to these restrictions: that

there be no detriment to his teaching; that departmental research committees review and approve research proposals of departmental members; that there be no massive commitment of University resources without approval by a University Research Board elected by the University community or by its representatives; that there be no secret or classified research. The Academic Planning Committee made no recommendations with respect to the Syracuse University Research Corporation, although it did explore SURC's relationship to the University.

The seven appendices to the Academic Planning Committee Report (1) listed matter not covered in the Report, but needing attention: the physical education program; grading methods and procedures; hiring, promotion, tenure
uance procedures; leaves; admission policies; academic advising; and fifteen other issues; (2) described the structure of the present Board of Trustees; (3) outlined the tentative recommendations of its Subcommittee on Schools and Colleges about such matters as interdisciplinary courses and programs, the high attrition rate of freshmen and sophomores, and the combination of the Journalism School with the School of Speech and Dramatic Art; (4) outlined further proposals for insuring greater student participation in departmental decisions; (5) discussed some overall considerations of decentralization, innovation, and interdisciplinary cooperation in connection with special programs; (6) provided some background to the

recommendations on improving communications between the library and the faculty and students (in this appendix they complained that neither deans nor faculty nor students were adequately consulted about planning facilities in the new Bird Library, and that there were frequent difficulties in getting hold of library materials); (7) proposed more flexibility in weighing teaching against research as grounds for promotion, and asked for the institution of a "non-research" degree, such as the Doctor of Arts degree.

Reaction at the March 23 meeting of the Governance Assembly to the Academic Planning Committee's Report recapitulated, as was the case so often during Assembly meetings, discussions which had already taken place within the committee concerned. The Committee was criticized for not giving enough attention to specifically academic matters, such as the quality of teaching at the University, while infringing on matters more properly the domain of, for instance, the Structures Committee. It was criticized for being too detailed about some matters for ready comprehensibility, while being silent about other matters--like hiring, promotion, tenure, discontinuance procedures, and admissions policies--for which it should have made structural recommendations. It was defended for taking as its goal the suggestion of "changes in decision-making structures of the University wherever it was thought they affected the academic life of the University." In response to a question, a committee member said that detailed thought

had not been given to the division of powers and responsibilities between all-University bodies, colleges and schools, and departments. Other comments were to the effect that the Report did not adequately counter the general drift of the University towards fragmentation and leaving students without adequate and flexible guidance.

As with all such committee reports, the effects of the Academic Planning Committee Report on the deliberations of the Assembly are hard to gauge. Certainly its proposals went far beyond those which were proposed by the Structures Committee or adopted by the Assembly.

6. Report of the Non-academic Planning Committee

Another matter had been the topic for debate at several meetings: on February 13, 1971, Chancellor Corbally had resigned. This resulted in attempts to formulate resolutions calling for student and faculty participation in the choosing of a successor, and also calling for a limited term of office and review of the Chancellor's stewardship. But at the March 23 meeting a quorum was lost before a perfected resolution could be considered. It never was considered.

Further meetings called for March 30 and April 4 failed to be convened for want of quorums. However, the report of the Non-academic Planning Committee was distributed.

At the outset the Non-academic Planning Committee established several subcommittees to gather information for consideration by the full Committee. This resulted in the formulation of five specific recommendations presented to the Assembly on March 30, 1971.

One subcommittee studied the operations under the direction of the Vice Chancellor for Student Affairs. It found that ten officers report directly to this Vice Chancellor, including those responsible for health services, athletics, placement, financial aid, and international student affairs. Further inquiry showed that there was some lack of cooperation between the areas (such as men's and women's physical education). Frequent complaints were heard about the lack of adequate funds for student aid and for personnel, and the lack of means to serve such portions of the University community as married students and minority-group students.

A second subcommittee looked into the operation of auxiliary enterprises including food service, dormitories, bookstores, physical plant, purchasing, and safety and security, which are all the responsibility of the Vice President for Business Management. Of great concern to the personnel in these areas were the rapidly rising costs of these enterprises and the worsening problems resulting from the University's former policy of postponing building maintenance.

The third subcommittee found that Personnel Systems, Finance Systems, Space Systems, and Student Records were directed by the Vice Chancellor for Administrative Operations and were reportedly in the process of being reorganized. Some complaints were voiced about wasted classroom space and frequent budget overruns.

A fourth subcommittee inquired about the offices responsible for administrative research, analysis, and auditing,

and investments and finance. One of its findings was that the Treasurer and five trustees serve on the University Investments Committee.

The fifth and final working subcommittee considered the problems of minority-group affairs and University relations. The Assistant Provost for Minority Group Affairs is in charge of Afro-American Studies and administers some state grants. The Vice Chancellor for University Relations, who reports directly to the Chancellor, works with the Trustees' Board on Development and is in charge of the fund-raising Development Office; this office also administers the News Bureau, the Alumni Records Office, and publishes The Record.

As a result of the work of the subcommittees and its own further deliberations the Non-academic Planning Committee agreed on five recommendations for inclusion in its Interim Report. (No further report was submitted.) First it recommended that a University Office of Information be established to disseminate information and to handle publicity and promotional activity. A group of communications consultants would aid this office and other parties of the University that needed similar help. This recommendation resembled an earlier one made to the Assembly by the Community Relations Committee.

Second, the Non-academic Planning Committee recommended that an office of Ombudsman be established "to assist members of the University community who are stymied in the University

processes." Using the recently established Office of Ombudsman at Cornell University as a model, the Committee drew up detailed specifications of the areas of concern and methods of operation of a Syracuse Ombudsman. The recommendation for an Ombudsman, also made earlier by the Community Relations Committee, later guided the Assembly when it prepared Section XIX of the final Proposal. (See Chapter V.)

Third, the Committee recommended establishment of a Center for Institutional Research to collect and process data for the Administration, Faculty, Board of Trustees, and students.

Fourth, the Committee recommended that all housing operations should be centralized, with one person in charge who would be responsible for all male, female, undergraduate, graduate, and married-student housing operations, including maintenance and other Physical Plant operations. Housing opportunities should range from no visitation to coeducational living.

Fifth, the Committee recommended that a permanent elections commission be established to run all official campus-wide elections, referenda, and opinion polls.

At the meeting of the Assembly called for March 30, no quorum was present, so that no action could be taken on the report of the Non-academic Planning Committee. Probably its most significant work was its detailed recommendations on the establishment of an office of Ombudsman.

Chapter IV

PREPARATION AND ASSEMBLY CONSIDERATION OF THE STRUCTURES COMMITTEE REPORT

1. The Deliberations of the Structures Committee and Its Report to the Assembly

The Structures Committee worked intensively from its first meeting on December 10, 1970 to the end of the next spring semester, when its Report was submitted to the Assembly on April 27, 1971. Meetings occurred at least once a week, often more frequently, and lasted three to six hours each. In addition to these regular sessions, special interviews were held with Chancellor Corbally (March 18, 1971), with three members (Ward, Hoople, Tomlinson) of the Board of Trustees (March 26, 1971), and with the newly-installed Chancellor Melvin Eggers (October 4 and November 30, 1971). Regular meetings continued as needed during the fall and spring of 1971-72 to make new proposals to the Assembly especially on the problems of representation.

2. Appraisals of Existing Campus Governance

The Structures Committee was charged with devising a system of governance for Syracuse University from the Board of Trustees on down. After a long gestation period of ten to fifteen weeks no definite form of government had yet been agreed upon; but the committee members understood each other better, had much improved ideas on what could and could not be done, and had the first ideas of the structure that was to be described in their final Report. During this period proposals were made to reduce

the power of the Board of Trustees, which ranged from abolishing the Board to simply adding a few faculty members and students to its numbers. All agreed on the need for a new delegate assembly having more control over the Administration than the present Senate had.

The Committee agreed that there were four major complaints about the existing governing structure:

there was no body representing the faculty or students that could deal more effectively with the Board of Trustees or the Administration;

the Administration was accountable to no one on the campus and was nearly autonomous, since the Board of Trustees exercised little control;

the Board of Trustees was akin to an absentee landlord who knew nothing of campus affairs, but who acted at critical moments to the detriment of the students and faculty;

the budgeting process was too secret and in the sole hands of the Administration.

Important facts and opinions about the Board of Trustees that came to be accepted by different Committee members as a result of both internal discussion and the meeting with three members of the Board, are listed below:

1. The Board is legally responsible for the University by State Law, and this situation cannot be changed in any short length of time.

2. It does very little on community relations, although it acts as a shield between the Administration and the community on occasions.
3. It does very little direct fund raising, but because of the involvement of its members with banks; National, State, and local governments; and the business community, it is vital to Syracuse University's source of income in the form of gifts as well as loans.
4. It sets the size of the University budget, but the Administration does all the work, and the Board's approval is almost perfunctory.
5. It hires the Chancellor, but this is mostly legal procedure unaccompanied by much input from the Board itself.
6. It approves the buying and selling of property.
7. It approves investments and manages the endowment.
8. The large majority of Board members live out of town, are not familiar with current affairs on campus, and seldom meet more than twice a year.
9. It is the only body to which the Chancellor is legally responsible.
10. The Board is neither a debating society nor a deliberative body. It mostly listens and in some cases approves or disapproves.
11. It lends more financial respectability to Syracuse University than could any representative body from the University. It can be sued in court. It borrows large sums of money in the name of Syracuse University.

12. Its approval of any new governance structure is required, and it is not likely to vote itself out of existence or to delegate all its powers to a new Senate. Thus it is important that the Assembly propose something that is negotiable and finally acceptable to the Board as well as to the campus.

13. The Board, with presumed financial skills, did not prevent an unbalanced budget nor an over-extended building program, and it did not see to it that Syracuse had an accounting system suitable to an establishment of its size.

The Structures Committee felt that the problems with the existing Senate were mainly its lack of power and inadequate representation. The Senate had little ability to move either the Chancellor or the Board of Trustees on any matter in dispute. Students, younger faculty members, and staff members all felt underrepresented, and the faculty thought the Administration overrepresented.

The Structures Committee also felt that the Chancellor had excessive power, since he and his Administration were both a policy-making and a policy-executing body. Furthermore, his office represented none of the campus groups: students, faculty, or staff. "Accountability" was a word much used in the discussions; it referred to the need for and present lack of accountability of the Chancellor to the rest of the University.

3. The Initial Proposal for a University Governance Board

Beginning in March of 1971 the ideas for a new delegate assembly to replace the Senate began to take shape. Some of

these ideas came from Chancellor Corbally at his meeting with the Structures Committee. He suggested that the Committee not be so concerned about the Board of Trustees. Its real problems, he said, were with the Administration.

The shaping of a new delegate assembly took place over the next few weeks. In its initial form it was to have about ninety members representing all constituent groups of the campus except the Administration. It was to be called the University Governing Board (UGB). It was to be a legislative body, and the Chancellor was to have no veto power. Four important committees or councils of the UGB were to cover the areas of administrative operations, student affairs, academic affairs, and community relations. Each of these was to relate directly to a Vice Chancellor in charge of its area. All aspects of University governance and activity were to come under one of these four major committees. In addition, an executive committee was to be formed to coordinate UGB activities with the Chancellor. The Chancellor would appoint Vice Chancellors with the advice and consent of the UGB. The UGB would have sole power to appoint the Chancellor. The Chancellor was to be accountable only to the UGB.

The great concern of the Committee (particularly its student members) with the Board of Trustees did not die out immediately, but was eventually channeled into statements in the Committee's Report which would limit the power of the Trustees. It was agreed that the Board of Trustees remain the legal entity of

Syracuse University and in addition, retain control over the endowment, physical assets, investments, and the total amount of the operating budget of the University. It was seen eventually by the majority of the Committee that any attempts to make the Board more representative would tend to make it an action group, contrary to the Committee's intent. The Board's general lack of detailed knowledge of campus affairs, its remoteness and the infrequency of its meetings made faculty or student representation on it seem futile.

The UGB was incompletely defined as yet, and many changes had to be made before its structure and powers could be finally agreed upon by a large majority of the Structures Committee (See Appendix F). A minority report was also submitted to the Assembly. (See Appendix G.)

Some members of the Committee raised these objections: (1) There would be too much time and energy required on the part of faculty, students, and staff, since the UGB would be practically running the University; (2) major decisions such as those on salaries, tuition, budget, etc. cannot be made by students and faculty; (3) ninety members are too few to handle the work load or to be representative; (4) the trustees won't buy it; (5) the Chancellor has no power. Syracuse University could never attract top talent for a position as figurehead. The Chancellor must remain a leader and not just an advisor or a public relations man. His position must remain attractive, and this means it must be accompanied by some power. Who would accept responsibility without power?

Objections revolved mainly about the position of the Board of Trustees. It would have to delegate certain powers to the UGB and could revoke them at any time. The students still feared the Trustees and wanted their powers further reduced or completely eliminated, in spite of what had been discussed about the difficulty of transferring legal power away from them.

4. The Committee's Final Version of a UGB

Further discussions led to a better defined structure incorporating compromises which it was hoped would increase the possibility of acceptance of the plan by the Administration and the Trustees.

A compromise between those who wanted to limit the powers of the Trustees severely and those who thought it necessary to leave them more influence in order to get their approval was this: the Trustees were to have a veto over the UGB, but the veto could be overridden by a 2/3 vote of the UGB, except on the total amount of the budget, investment policy, endowment management, and authority over physical assets. In this fashion the Trustees were to be given specific ultimate power in these four areas, although their influence was not to be limited to them. Furthermore, it did not preclude the UGB from exerting some influence in the same four areas.

Deciding on the number of delegates in the UGB required a long time. The proposed number varied between 60 and 300. The need for fair representation of a large number of groups (small

colleges, large colleges, graduate and undergraduate students, and various divisions of the staff) worked against the smaller-sized UGB. On the other hand, smaller numbers would give greater visibility to the delegates and a greater feeling of individual responsibility on the part of each member. A larger number of delegates would make distribution of the delegates among the colleges, etc., much simpler and more representative. It would also give more talent to draw on for committee assignment and allow fairer distribution of the work load. But the larger the UGB, the more unwieldy it would be and the less responsibility felt by each person. Several members felt that too many delegates to the UGB would lead to cliques, whereas in a smaller group everyone would have to be active to get the work done. The final compromise was to have 100 members on the UGB.

Without much opposition it was decided to ensure the junior faculty a fair representation by insisting that, where possible, they be proportionally represented in each academic unit. Junior faculty are those of the rank of Associate Professor and below. This ameliorated a long-standing complaint regarding the representation in the existing Senate.

The question of apportionment of the delegates between students and faculty was debated at length, the general temperature remaining on the warm side. With no apparent opposition, all agreed that the staff should have 10 per cent of the seats in the UGB, but division of the remaining 90 per cent between

students and faculty could not be agreed on by the Structures Committee. Financial questions and procedures for choosing Chancellors were uppermost in many minds as they pondered apportionment. The students felt they had as great a stake as the faculty in these matters. The faculty was getting steady raises, but the students had to pay continually increasing tuition. Students felt they should be well represented at all levels of governance. The faculty members pointed out that the students are more transient than the faculty and that bad financial decisions or the poor choice of a Chancellor would create problems that the faculty would have to live with indefinitely, but that the students would quickly leave behind. Students pointed out that many bad financial decisions had already been made (building programs had been overextended, etc.). The students said that the quality of education at Syracuse University could adversely affect their whole lives, but that the professors had secure jobs regardless of the state of affairs. Some professors found it unthinkable that students be on promotions committees, but students thought their input would be valuable. In a UGB in which students and faculty were equally represented and which had the authority to prepare a budget and consider sources of income, think of the stalemate over raising tuition in order to raise salaries!

This clash of ideas brought out some strong feelings that had been previously unexpressed. It led to nothing conclusive about apportionment in the UGB, but it was useful. The faculty

members had a hard time stating how they really felt about having equal representation of faculty and students. Most of them clearly opposed parity, but had difficulty in articulating their reasons. These were the most heated discussions the Committee had, but even these were conducted without anger and in a spirit in which each member was trying to find out what the true feelings of the others were.

Student-to-faculty ratios were advocated which ranged all the way from 20:70 to 70:20. A final vote on a nearly continuous spectrum of possible ratios with each person voting (a) preferred, (b) acceptable, or (c) not acceptable, showed one faction (mostly but not all faculty members) saying that the maximum acceptable ratio was 30:60. The other faction (mostly but not all students) voted the minimum acceptable ratio to be 45:45; they insisted on parity. This issue was the only one in all the deliberations which divided the Structures Committee into two distinct factions which could not compromise. It was thus decided to leave blanks in the Report and let the Assembly decide on how to apportion the UGB.

The details of the relations between the Chancellor and the UGB's Executive Committee and between the Vice Chancellors and the corresponding councils of the UGB were looked upon as crucial to the success of any new governance structure. The idea of accountability of the University Administration to the UGB was now paramount in the minds of Committee members. Too

strict an accountability would hamper the Administration excessively; lack of any accountability would leave Syracuse University in its present unsatisfactory state.

About this time--April, 1971--the Administration proposed to the Senate that councils be formed in that body to oversee specific areas of responsibility of the Administration. These ideas were adapted from the system at Ohio State, where Vice Chancellor Ronald W. Brady and Chancellor Corbally had been previously. One of the main requirements in a governance structure where one body is to be accountable to another is that the structure be simple enough so that it is crystal clear as to who accounts to whom. Vice Chancellor for Administrative Operations Brady wrote the Senate on April 4, 1971 that "the many different Senate Committees among which student and faculty concerns are now distributed overlap various administrative functions and the Board of Trustees areas so erratically as to make actual accountability difficult."

The idea of councils in the UGB each of which corresponded precisely to the areas of jurisdiction of a Vice Chancellor had much appeal to the Structures Committee (the Committee called these "standing committees" instead of "councils" in its Report.). It was intended that <u>all</u> University affairs come under one of the four headings: academic affairs, student affairs, administration, and community relations. The Senate up to this time had never had a committee charged explicitly with administrative affairs. If the UGB had small standing

committees which were accountable to it and whose members included representatives of all campus groups, then such committees would have the opportunity to make broad policy guidelines for the Administration and work directly with the corresponding Vice Chancellor to see that such guidelines were adhered to. It was presumed that each such standing committee would work closely with a Vice Chancellor and that initiatives could come from both the Vice Chancellor and the committee itself. The UGB would get its advice, reports, and proposed legislation from the standing committees and not from the Administration.

This idea of councils seemed to be practicable except for budget-making. Since budget-making would involve all four councils, it was proposed that a joint committee determine budget policy; but this was forgotten in the press of business and the final Report to the Assembly did not mention the budget process.

The second paragraph of the Report contained the wording most difficult for the Committee to agree on. Its first sentence eventually read, "[The] UGB . . . shall determine policy and legislate on all matters concerning the University." The two critical words were "legislate" and "all." The first implied that the Chancellor was in the future to be only an executive and not a legislator and that the UGB was to be the sole legislative body. Later, meetings with the Administration left the Committee with the idea that taking away all legislative

power from the Chancellor would possibly lead to a rejection of the Assembly proposal at the plebiscite.

The other critical word was "all" in "all matters concerning the University." It seemed to some Committee members that this was just too inclusive and left the Administration with too little power. Also, it seemed to them that there were obviously areas in which the Administration and not the UGB should have primary authority.

The Committee continually wrestled with the problem of how much detail should go into its Report. The Report was to be a proposed constitution for the University. It certainly should state how the Chancellor was to be chosen; it certainly should not specify the speed limit on campus. But how much detail should be provided? For example, a judiciary should be set up; but should the Report empower the UGB to devise its own courts, or should it spell out in detail the powers and obligation of such courts and the methods of selection of judges? Should the Report specify exactly who was to be represented on each standing committee? Several proposals included such detail. The final decisions on such matters were determined partly by the desire to keep the document flexible, but certainly much was determined by the fact that time pressed heavily and the Report was due to the Assembly within a few weeks. (The Assembly eventually put considerably more detail into its final Proposal.)

Before the Report was submitted to the Assembly, these details were agreed upon (See Appendix F for the whole Report):

(1) The chairman of the Board of Trustees was made an ex officio member of the Executive Committee of the of the UGB but without vote. This was to improve communication between the Trustees and the campus community.

(2) The Vice Chancellors were to be appointed by the Chancellor with the consent of the UGB.

(3) A specific statement was made that the Chancellor was to have charge of the operation of the University to allay fears that his position was unduly enfeebled by this structure. He was to be elected by the Board of Trustees "upon agreement of the UGB." His appointment was to be reviewed every four years. Many members of the Committee insisted that the Chancellor not serve indefinitely. He could be fired only by joint action of the UGB and the Trustees.

(4) The colleges and schools were mainly left to operate themselves. The UGB was empowered only to veto college rules, but could take no initiative in their governance. Each dean was to be appointed by the Chancellor with the consent of the college (not the UGB), and the term would be three years, subject to renewal.

(5) A judicial system was proposed, but all details were omitted and left to the UGB. The main provision was that the highest court be independent (of the Administration, the UGB, and the Board of Trustees) and its decisions final.

(6) An office of Ombudsman was proposed in one neat, clean sentence.

(7) Provisions were made for review, reapportionment, and amendment of the proposed governance structure.

(8) An election commission was set up.

Between December, 1970 and March, 1971, Structures Committee meetings had been completely taken up with discussion, proposals, and counter-proposals, most of which had to do with the Board of Trustees, the Administration, and the present Senate. Only after the proposal to have a UGB with councils corresponding to the four main areas did the discussions begin to focus. In the month of April, 1971 alone, most of the final structure of the UGB was decided upon and written up for presentation to the Assembly on April 27, 1971.

5. Initial Consideration by the Assembly

At the first post-spring-vacation meeting, April 27, 1971, U.S. Senator Eugene McCarthy, who had a speaking engagement elsewhere on campus, briefly commended the Assembly for its efforts. The Assembly, turning to its business, accepted the revised report of the Goals Committee. Also Frederick Lane, the then Chairman of the Structures Committee, presented the

Structures Committee Report. A minority report was also submitted. Introductory supporting statements were made by three members of the Structures Committee. The Assembly decided to consider the Report article by article--with the exception that apportionment of the proposed University Governing Board would be treated last. Finally the Report was to be considered and voted on as a whole. It was hoped that all this could be done rapidly, but by the end of the spring semester the Assembly had completed consideration of only eight of the fifteen articles of the Structures Committee Report.

Introductory supporting statements were made by three members of the Structures Committee at the April 27th meeting. At the next meeting, the following evening, opponents of the Report presented their arguments. Some claimed that the Report proposed "government by committee." A trustee delegate suggested that the entire Report be discarded in favor of adding three students and three faculty members to the Board of Trustees. Nevertheless, the Assembly proceeded to detailed consideration of the Report.

It passed Article I, "The Board of Trustees shall retain its legal responsibility for Syracuse University," thus laying quickly and finally to rest the hopes of those members of the Assembly who felt that the Board of Trustees itself ought to be eliminated, or at least drastically modified. Consideration then started on Article II, "There shall be a University Governing Board . . . . " As an indication of how evenly divided the Assembly was between those who would give this Board extensive

powers and those who wanted its powers to be severely restricted, a motion to modify its decision-making powers by adding the phrase "subject to the ultimate authority of the Board of Trustees" was defeated by the narrow margin of 60 to 63. The first amendment to be accepted changed the name University Governing Board to University Governing Council (UGC).

Debate continued on Article II through May 5. An illuminating interpretation of the effect of Article II was presented by a member of the Structures Committee, Nahmin Horwitz:

> On matters involving financial integrity, the trustees reserve the right of final veto. On all other matters, decisions of the UGC are final unless vetoed by the Chancellor. The trustees agree that that veto can be overridden by a 2/3 vote.
>
> If the original wording of Article II is adopted and the trustee plebiscite approves, the trustees will have voluntarily delegated authority to the UGC. They can always revoke this delegation of authority. But short of that, in the light of having ratified this governance arrangement, they could not themselves veto specific UGC decisions other than those involving the financial integrity of the University.

Other debate concerned details of veto powers, the overriding of vetoes, and the extent to which the UGC should have control over endowment, physical plant, investments, and the overall budget. Considerable detail on the division of authority among the UGC, Chancellor, and Board was introduced into the Article. One significant change substituted the Chancellor for the Trustees as the holder of certain veto rights; the UGC could override

the Chancellor's veto on academic and budgetary matters, while the Trustees would retain final authority on the financial integrity of the institution. The Chancellor was the "chief executive officer" of the University. The amended Article II, as passed on May 5, left a strong UGC, as originally proposed by the Structures Committee.

Two other items were dealt with on May 5. The first part of Article III was approved, setting the size of the UGC at approximately 100 members and specifying that UGC members were to be elected for one-year terms and for not more than four consecutive terms. Article IV was also approved, which called for initial establishment of four standing committees in the UGC corresponding to the four major administrative areas: Academic Affairs, Administrative Operations, Student Affairs, and University Relations.

The Assembly meeting on Thursday, May 6 took up Article V specifying the powers of the standing committees to oversee the Vice Chancellors responsible for each of the four main administrative areas. The wording was modified, but in the end Article V was passed, leaving the standing committees with extensive powers. Article VI, "The UGC shall create such other committees as it deems necessary," was passed with little comment.

On Tuesday, May 11, the Assembly adopted a severely modified Article VII concerning the establishment and powers of an Executive Committee in the UGC. The sentence in the Structures Committee proposal that "the Chancellor shall be accountable to the

UGC through the Executive Committee for the execution of policy" was deleted, leaving the Executive Committee with two main purposes: to "serve as the primary link between the Chancellor and the UGC" and to act as the agenda committee of the UGC.

Also on May 11, an extended debate was started on the powers of the Chancellor. A new Article was accepted, starting as follows: "The executive power of Syracuse University shall be vested in a Chancellor. The Chancellor shall have general charge of all activities of the University subject to policies and general directions set by the UGC . . . ." The Chancellor was now seen as the chief "executive" rather than chief "administrative" officer, an effort to strengthen his office against charges that this office would become powerless.

Faculty delegates, especially those having administrative responsibility, were very concerned about the procedures by which operating budgets were to be established. The Structures Committee Report made no specific mention of the budget-making process. Most of the May 13 Assembly meeting was devoted to the development of a wholly new and lengthy Article on the budgetary process. This new Article described in detail the time schedule according to which a budget had to be submitted by the Chancellor to the UGC, the period in which the UGC could act on the budget, and provision for action by the Chancellor in the event of the UGC's failure to act within the agreed-upon time span.

Since the end of the spring term was rapidly approaching, with its attendant examination period, quorums (especially in the student caucus) became increasingly difficult to achieve. There were quorums at only eight of the thirteen called meetings between spring vacation and summer vacation. Hopes of holding the plebiscites in May, 1971 had therefore to be abandoned. At the final several sessions of the term, the Steering Committee reported its plans for filling vacancies that would occur in the Assembly with the end of the term, and for calling the Assembly back into session in the fall of 1971 in order to complete consideration of the Structures Committee Report and to proceed with the plebiscites.

6. Second-Year Activities: Final Modification of the Structures Committee Report into the Governance Proposal

The Assembly reconvened for the first time in the 1971-72 academic year on October 12, 1971. It was addressed by the newly-appointed Chancellor, Melvin A. Eggers, who remarked on the importance of completing the work begun the previous year. Then the Assembly turned to the task of filling delegate seats vacated between spring and fall semesters for reasons such as graduation, leave of absence, or resignation. Many seats remained vacant, however, because of the inability of the Steering Committee to find sufficient replacements. The Assembly also passed a bylaw change which reduced the quorum requirement to just one-fifth of each caucus, eliminating the need for a total of 125 delegates to be present. This effectively halved the number needed for a quorum.

The discussion of the Report of the Structures Committee was then resumed, starting with Article X, which was approved in a form establishing the joint responsibility of the Board of Trustees and the UGC in the selection and removal of the Chancellor. The Article also would give the UGC responsibility for reviewing the Chancellor's work every four years.

The meeting on October 26 was devoted to the discussion of Article VIII, which specified the roles of the Chancellor and the UGC in appointing the Vice Chancellors. Many amendments were proposed either to reduce the role of the UGC or to specify the majority necessary to terminate such appointments. It was finally decided that a UGC recommendation for appointment required the favorable vote of "a majority of its membership." It was also specified that a recommendation of termination was subject to the veto procedure of Article II. The Article, so amended, passed at the following meeting, of November 2.

At this meeting, on the recommendation of the Structures Committee, the Assembly agreed that formal discussion of each article and any amendments to it should be preceded by an informal discussion to improve understanding of each article and of objections to it. Discussion proceeded with Article XI. This Article mandated the creation by the UGC of a judicial system culminating in a court of appeals, whose decisions would be final. The judicial system was to be independent of both the UGC and the Administration. The Article was extensively reworded during the discussion to provide that the judicial system be

created within ninety days of the initial meeting of the UGC.

Article XII, which established an office of Ombudsman, was submitted to the Assembly on November 9, and then resubmitted in an expanded form on November 30. The Article specified the functions of the Ombudsman, which included the investigation of grievances and the making of recommendations for their resolution. The final discussion on December 14 introduced two amendments stressing the confidentiality of the Ombudsman's access to official files and other information, and providing for his financial independence by requiring that there be no budget reduction during his three-year term of office.

One of the most debated articles of the Structures Committee Report was Article XIII, which dealt with the governance of schools and colleges, their relation to the UGC, and the appointment of the deans and directors of academic units. The discussion took up approximately three meetings of the Assembly. The Article began by stating that "the faculty and students of each school and college shall have jurisdiction over the internal affairs of their college," and be responsible for setting up "a governing structure insuring participation of faculty and students in the determination of intra-college policies." An attempt to delete the section insuring participation of students and faculty, on the grounds that certain matters were the exclusive domain of the faculty, failed. The main points of debate concerned the powers of the UGC to overrule decisions of the schools and colleges and the procedures for the selection of

deans, directors, and department chairmen. Changes were made giving schools and colleges the right to "formally question" a UGC decision and establishing a procedure for participation by the aggrieved school or college in the reconsideration of the UGC decision. Most amendments, however, were defeated, including one requiring the election of deans and directors by the governing bodies of the respective academic units. In the final text, deans and directors would be appointed by the Vice Chancellor of Academic Affairs, with the advice and consent of the appropriate committees of the respective academic units.

On January 11, 1972 the Assembly took up Article XIV, which called for review every five years of the governance structure of Syracuse University, following a first review to take place in the third year of operation of the UGC. It also stated the procedures for changing the governance structure, including approval by referenda of students, faculty, and trustees. Several amendments were approved. One served to include the professional and classified staff as a fourth constituency in the referendum process. A second amendment changed the basis of approving the referenda from permitting approval if only two constituencies approved a proposal by a two-thirds majority (while the other two rejected it) to, instead, sending the proposal back to a conference committee which would then offer a revised referendum within thirty days of the original plebiscite.

During January and February, 1972 the work of the Assembly was greatly slowed by quorum problems brought on by vacation and examination periods at the end of the semester. At the

first meeting of the spring semester, February 15, the Assembly approved Article XV, which would create a commission to oversee elections and referenda. The principal remaining questions facing the Assembly were (1) the apportionment of the UGC; (2) the inclusion of students and faculty members on the Board of Trustees; and (3) a final look at the entire Proposal, and (4) the best procedure for the plebiscites.

One of the most significant decisions in all of the Assembly's proceedings--certainly the most disputed--dealt with the apportionment of the proposed UGC. It was during debate on this issue that the Assembly had its best attendance of the second year. A series of apportionment schemes was presented to the Assembly. A preferential ballot was used to narrow down the choice of schemes on successive ballots. It soon became clear that the voting was coalescing around faculty and student blocs. Most faculty members claimed the right to a faculty majority in the UGC, while most students insisted upon student-faculty parity. The other delegates' votes were divided between these two positions. On March 14, 1972 the Assembly endorsed the principle of parity between students and faculty by a vote of 39:27. It rejected a scheme specifying a 50:40:10 faculty:student:staff ratio and accepted a 45:45:10 apportionment. A final decision set the size of the UGC at approximately 100 delegates.

With this concern resolved, the Assembly proceeded to discuss the membership of the Board of Trustees. The issue was whether the Board of Trustees should include students and faculty members.

After three meetings and several motions; including one by a student for ten students and ten faculty Board members, and another by a trustee for three student and three faculty Board members. The entire idea was tabled, never to be resurrected.

The Assembly moved on to a consideration of the entire Governance Proposal and related matters, including two substitute proposals for the entire Assembly document from trustee delegates. One of these trustees warned that the Assembly Proposal in its present form would make it impossible for Trustees to carry out their duties, and that therefore they would have to vote against it. Despite this warning, the Assembly defeated the substitute proposals.

At the final meeting on May 2, the Assembly decided that there was not enough time before the end of the semester to inform the community fully and to have ample discussion on the Proposal before holding the plebiscites. The Assembly therefore decided to wait until October to conduct the plebiscites.

Chapter V

PROPOSAL OF THE ASSEMBLY ON UNIVERSITY GOVERNANCE

Preamble

The members of Syracuse University's pluralistic community are united in the pursuit of knowledge, in the search for enlightening personal and social values, and in the hope of attaining wisdom. To these ends the University should provide facilities and maintain a climate of free inquiry in which all involved can learn--individually, jointly, with and from one another--in the degree of their ability, motivation, and expertise.

Realizing the legal constraints under which it exists, the University community insists upon the right and accepts the responsibility of managing its internal affairs. Within the University, authority to make decisions derives from the consent of the members of the community. The manner and degree of reserving or delegating authority to make decisions in academic and other matters may vary in different parts of the institution But all activities within the community must rely upon respect for the dignity of others, cooperation, free discussion, and openness to constructive change. Accessibility of information, appropriate consultation, and accountability to those affected should characterize all decision-making procedures.

The University's service to the larger society must be consistent with its educational aims, its political autonomy, and the academic freedom of its members. In pursuing its educational and humanizing goals, the University should help to prepare its

members for significant participation in society. Further, the University should provide a free forum from which its members may serve, challenge, and improve society. As an institution, the University must compassionately weigh the consequences of its policies upon the extended communities of which it is a privileged and responsible part.

Section I

The Board of Trustees shall retain its legal responsibility for Syracuse University.

Section II

The executive power of Syracuse University shall be vested in a Chancellor. The Chancellor shall have general charge of all activities of the University, subject to policies set by the University Governing Council (UGC, see Section VI). The Chancellor shall be, ex officio, a member without vote of the UGC and all of its committees. He shall exercise appropriate initiative in developing specific programs for approval by the UGC.

Section III

The Chancellor shall be selected by a procedure mutually agreed upon by the Board of Trustees and the UGC. His tenure in office may be terminated only by mutual agreement of the Board of Trustees and the UGC. The UGC will be responsible for initiating a systematic review of his services at least every four years.

Section IV

The Chancellor shall be responsible for submitting the annual operating budget of the University to the Board of Trustees. The Chancellor and his cabinet shall prepare the operating budget in consultation with a budget committee designated by the UGC. The proposal shall be submitted to the UGC by this committee prior to submission to the Trustees and shall be handled according to the general procedures for review and approval established in Section VI.

a. Within 90 days of the initial meeting of the UGC, the Executive Committee of the UGC, after due consultation with the Chancellor, shall propose a budgetary calendar fixing the deadlines for the several stages of budgetary decision-making. The proposed calendar must, at a minimum, include the last date upon which the Chancellor's budget proposal is to be submitted to the UGC, the last date upon which the UGC can take action with regard to the proposal, and the date on which the proposed budget, as may be amended by the UGC, is to be submitted to the Board of Trustees. The same budgetary calendar shall govern in subsequent years unless changed in accordance with the legislative procedures established in Section VI.

b. In the event that the UGC has failed to approve an operating budget by the deadline fixed by the budgetary calendar, the Chancellor shall have authority to submit a final budgetary proposal to the Board of Trustees. He may not, however, allocate resources to uses, or in amounts, specifically rejected by the UGC in accordance with the legislative procedures established

in Section VI.

Section V

The Vice Chancellors shall be appointed by the Chancellor with advice of the appropriate standing committee and consent of the UGC. Their appointments may be terminated by the Chancellor's own determination or when the UGC, by majority vote of its whole membership, so recommends, subject to the veto provisions of Section VI. The Vice Chancellors shall exercise appropriate initiative in formulating programs for approval by the Chancellor and the UGC, and implementing them if approved.

Section VI

There shall be a University Governing Council (UGC) which shall determine policy and legislate on all matters concerning the University, except as otherwise provided in this document. Decisions of the UGC shall be deemed conclusive unless and until the Chancellor shall take negative action thereon within one month, in which case this decision shall be referred back to the UGC with his reasons for such action. After further consideration, the UGC can override a veto by 2/3 vote on all matters; provided, however, that when such overridden veto matters affect or determine policy or action with respect to (a) endowments, (b) physical assets, (c) investments, or (d) the amount of the operating budget, the Board of Trustees may, upon the Chancellor's recommendation or upon making its own motion, take final action. Unless such action is taken

within sixty days after the overriding vote of the UGC, the decision of the UGC shall be deemed final. When it is deemed vital to the interest of the University, the UGC, by majority vote of its whole membership, may call for a special meeting of the Board of Trustees or its Executive Committee. None of the above is to be considered prejudicial to appropriate initiatives on the part of the Trustees in fulfillment of their legal responsibility.

Section VII

The UGC shall be composed of approximately 100 duly elected representatives of the University community: 45 per cent faculty members, including deans and department chairmen, 45 per cent students, 10 per cent professional and classified staff. The Chairman of the Board of Trustees or his designate shall be, ex officio, a member of the UGC without vote. All faculty and student representatives shall be elected by their respective colleges or schools, and those affiliated with more than one academic unit shall be eligible for election from one unit only. There shall be at least one faculty delegate and one student delegate from each college or school; the remaining faculty and student seats shall be assigned proportional to the number of faculty and students in each college or school, except that such ancillary programs as University College and Utica College shall have no more than one faculty delegate and one student delegate each. The College of Forestry shall have two student delegates and one faculty delegate to the UGC. All dually enrolled students

and faculty memoers will designate one school in which they are to be considered a primary member. These memberships will be added to the number of singly enrolled students and faculty of the appropriate schools. The resulting totals will be used for apportioning representation in the UGC. In those academic units with more than one faculty delegate, there shall be representation of faculty by rank approximating the proportion of full professors to the collective junior faculty. In those academic units with more than one student delegate, there shall be representation of students by level approximating the proportion of undergraduate students to graduate students. Professional staff and classified staff shall be elected at large by their respective constituencies. The term of office for all delegates shall be one year. The number of consecutive terms which a delegate may serve shall not exceed four.

Section VIII

There shall be a standing committee of the UGC corresponding to each major administrative area of the University. Initially there shall be the following four: Academic Affairs, Administrative Operations, Student Affairs, and University Relations. The Vice Chancellor for each major administrative area shall be, ex officio, a member without vote of the standing committee assigned to that area. During the UGC's first year of operation the number of voting members of these committees shall not exceed nine.

Section IX

Each standing committee shall advise with, and be consulted by, the Vice Chancellor in its respective area, and shall prepare and review proposals for legislation on matters within its respective area for adoption by the UGC. Each shall be the vehicle through which business affecting its area is normally brought before the UGC. Standing committees may form subcommittees as needed to facilitate their work.

Section X

There shall be an Executive Committee: it shall consist of the chairmen of the standing committees which correspond to the major administrative areas of the University and four members elected by the UGC from its membership. The Chairman of the Board of Trustees or his designate shall be, ex officio, a member without vote. The committee shall elect its own chairman, who shall serve during his term of office on the Board of Trustees and its Executive Committee without vote. He shall report for the UGC to the Board of Trustees.

Section XI

The Executive Committee shall serve as the agenda committee of the UGC. The Executive Committee is also authorized to act for the UGC in summer recess or on other occasions when the UGC cannot be convened. When such action is taken, an explanation must be presented for approval at the first subsequent meeting of the UGC.

Section XII

The UGC shall create such other committees as it deems necessary.

Section XIII

To ensure due process and fairness to all members of the University community, the UGC shall create a judicial system, culminating in a Court of Appeals. This system shall be independent of the UGC and the Administration of the University. The decisions of the Court of Appeals shall be final. The UGC shall act to create this judicial system and to define its areas of responsibility within ninety days of the initial meeting of the UGC.

Section XIX

An office of Ombudsman shall be established to assist members of the University community who are stymied in the University processes. The Ombudsman shall: Investigate, on request or on his own initiative, any grievances that may arise; bring findings and recommendations to the attention of those in authority; serve as a general information center about all situations and University procedures which may be a source of grievance; and conduct, during emergencies, such additional and special informational services as he believes appropriate.

Section XV

The Ombudsman shall have confidential access to such official files, information, and committee meetings throughout the University as he feels is required to fulfill his functions. The

Ombudsman shall be a full-time, funded, independent officer, appointed with the consent of the UGC by the Executive Committee of the UGC for a three-year term. Resources allocated to this office shall not be reduced within such term of office. He may be removed from office for cause by 2/3 vote of the UGC. He shall make an annual report to the University community and such special reports as may be requested by the appointing authority.

Section XVI

The UGC shall create an Elections Commission to oversee elections and referenda, and to discharge the functions required under Sections VII and XX.

Section XVII

The faculty and students of each school and college shall have jurisdiction over the internal affairs of their college (or school), including the establishment of a suitable college governing structure insuring participation of faculty and students in the determination of intra-college policies. Decisions of the college governing body shall be final unless and until the UGC take negative action thereon. A college may formally question a UGC decision by a majority vote of its governing body. A formal question will require the UGC to reconsider its decision and to provide for the representatives of the college to present their concerns, in person, to the UGC.

Section XVIII

The deans and directors of academic units shall be appointed by the Vice Chancellor for Academic Affairs with the advice and consent of the appropriate committees of the respective programs, divisions or colleges. Their appointments shall be for three years, subject to review and renewal by the Vice Chancellor for Academic Affairs and the appropriate committee. They shall exercise appropriate initiative subject to the approval of the Vice Chancellor for Academic Affairs and the respective governing boards.

Section XIX

By May of the third full academic year of operation of the UGC, and at a maximum of five-year intervals thereafter, the UGC and the University community shall review the governance structure of Syracuse University, giving due consideration to such matters as the apportionment of representation within the UGC, the bylaws of the UGC, and the relationship between the UGC and the Board of Trustees.

Section XX

Changes in the governance structure of Syracuse University shall be instituted by referendum of the University community of students, faculty, staff, and trustees. Such referenda shall be initiated by the submission of a copy of the proposal to the UGC Elections Commission signed by either a majority of the members of the UGC or of the Board of Trustees, or by one-tenth of either the total University student body, the collective

faculty, or the entire professional and classified staff. The referendum shall be held within ninety days of the date of submission, excluding recess periods and the summer sessions. The changes shall be deemed adopted if aproved by a majority of those voting in each of the constituencies (students, faculty, staff, and trustees) and appropriate steps shall be taken to amend the University Charter of Bylaws accordingly. If two-thirds of those voting in any two constituencies shall have approved a referendum, but the others rejected it, the issue shall go to a conference committee of all groups. The conference committee shall offer a revised referendum for a plebiscite within thirty days of the initial referendum.

Section XXI

Freedom in teaching, in learning, in speaking, in carrying out research, and in publishing are fundamental to the life of any University. Neither the Board of Trustees, the University Governing Council, the administration, nor any other group or member of the University shall act to abridge the exercise of these academic freedoms by any member of the University.

Implementation

If ratified by a simple majority of those voting in each of the three plebiscites, the recommendations of the Assembly will be deemed to have been approved and their implementation mandated.

If so approved, the Trustees will take appropriate steps to alter their Bylaws as soon as feasible. These Bylaws of Syracuse University shall be so amended not later than June 30, 1973. These Bylaws will be revised so as to incorporate the wording of the Assembly's document insofar as possible. The Steering Committee of the Assembly on University Governance shall advise the Trustees, their committee, and legal counsel on behalf of the Assembly.

Chapter VI

THE PLEBISCITES

1. Preparation for the Plebiscites

Preparations for the fall plebiscites began during the summer of 1972. After making arrangements with the Chairman of the Board of Trustees for a special meeting of the Board on October 6, for the purpose of discussing and voting upon the Governance Proposal, the Steering Committee set Wednesday, Thursday, and Friday, October 4-6, 1972 as the dates for the plebiscites.

Plans for a publicity campaign also got underway during the summer. The Steering Committee arranged to have Professors Nahmin Horwitz and Donald Meiklejohn, both active members of the Assembly and its Structures Committee, engage in a debate on governance over the campus closed-circuit television during the week of the plebiscites. It also appointed subcommittees composed of student, faculty, and administration delegates to develop pro and con position-statements to be given wide circulation in the fall.

Publicity for the plebiscites began in early September. The position statements (in Appendix H) were approved by the Steering Committee and mailed to all faculty members and trustees together with the Proposal of the Assembly on University Governance. The Record refused to print the position statements on the grounds that they were not signed, but The Daily Orange did publish them, making them available to all voting constituencies. Discussions

on governance were arranged by Assembly delegates in each school and college of the University during the last two weeks of September. Feature articles and letters-to-the-editor of The Record and The Daily Orange began in mid-September, and both papers printed the full text of the Assembly's proposal during the week of the plebiscites. The Daily Orange also ran a series of editorials discussing each article in the document, and the Student Association mounted its own publicity campaign to promote the Governance Proposal.

Meanwhile arrangements were proceeding for the plebiscites. Machine-scoreable ballots were prepared, with space for comments provided. Absentee ballots were mailed to trustees who could not be present for the special meeting. Volunteers and paid pollwatchers were obtained to insure three-day coverage at five locations. Lockable ballot boxes were built, and ID card punches were purchased to provide security and control. On Tuesday evening, October 3, Professors Horowitz and Meiklejohn met for their televised debate, climaxing the preparations for the plebiscites.

2. Results of the Voting

During the next three days 3505 Syracusans marked ballots indicating that they approved or disapproved the Proposal of the Assembly on University Governance. Approximately three quarters of the Trustees, over half of the faculty, about one fifth of the student body, and less than five per cent of the staff voted in the referendum. The Trustees cast their ballots

at the special meeting on Friday, October 6, after a presentation by the Chairmen of the Steering, Goals, and Structures committees, and a closed session with the Chancellor, his cabinet, and the University attorney. Faculty, students, and staff voted at one of five polling places on campus.

The ballots were sorted by the Credentials Committee and tabulated at the Psychological Research Center. The results of the vote are shown in this table.

RESULTS OF PLEBISCITES

Plebiscite	Yes	No	Total	Result
Trustees	0	29	29	no
Faculty	149	364	513	no
Students	2208	672	2880	yes
(Staff)	(23)	(60)	(83)	(no)
			(3505)	

Since the document was not approved by the Trustees and the faculty (the staff vote was for information only), the Proposal of the Assembly was not ratified.

Following the defeat of the Proposal, the Steering Committee referred the Proposal to the University Senate *ad hoc* Committee on Senate Organization and Operations so that individual articles might be considered for action by the Senate. Thus ended the Assembly on Governance at Syracuse University.

Chapter VII

APPRAISAL OF THE GOVERNANCE ASSEMBLY

Holding a "constitutional convention" is an unusual proceeding. There might never have been an Assembly on University Governance at Syracuse had not the retirement of a strong, long-time Chancellor coincided with the culmination of protest against the long, ugly, and unpopular war in Viet Nam. Building takeovers, a "Town Meeting" for thousands, barricades on campus: the spring of 1970 was a turbulent time. The Assembly was an appropriate response. But it failed--failed at least to win approval for its Proposal. Why?

Comments on some faculty ballots in the October, 1972 plebiscites indicate that faculty members strongly disliked the extent of student representation on the proposed University Governing Council. Of the twenty-four negative ballots bearing comments, seventeen gave this reason for opposing the Proposal; even three of the four positive ballots bearing comments similarly expressed concern over the parity of student and faculty representation. Other evidence suggests that many faculty members felt that the most important grievances with which the Assembly had concerned itself had been removed or ameliorated since the departure of Chancellor Tolley, and that hence there was no need for drastic change. Those who still pressed for change were inclined to channel their energies into attempts to make the AAUP a collective bargaining agent for the faculty--an approach radically different from that proposed by the Governance Assembly.

No trustee ballots bore comments on then, but it is probable that the trustees objected not only to the extent of student representation on the UGC, but also to the delegation of authority to a body which, unlike the Chancellor, could not readily be held accountable. The trustees' unanimous rejection of the Proposal is attributed to the advice of legal counsel. This advice presumably had to do with the legality and workability of delegating powers to the UGC. But it is doubtful if the trustees would have favored the Proposal in any case. Board members had told the Structures Committee that they did not plan to preside over their own emasculation. The Board also listened to and gave a vote of confidence to Chancellor Eggers, who did not favor placing legislative power in the hands of the UGC.

The students overwhelmingly supported the Proposal, as they might have been expected to. But the percentage of students for it (77 per cent) was less than the combined totals for the two propositions at the March 4, 1970 referendum which called for change in government (87 per cent), suggesting some reduction in student activism.

If John Corbally had remained Chancellor, the Proposal might have had a better chance of approval. He had said that he could live with a governance structure giving strong powers to an elective faculty-student body. On the other hand, he may have supported the Governance Assembly as a kind of safety valve for relieving the tensions of mid-1970. Those tensions had largely abated, however, by late 1972.

Regardless of who had been Chancellor, the campus mood would have changed in the two years. The Proposal would undoubtedly have been better received if it had been presented in the spring of 1971, and it might have been better received if it had been

differently conceived. If there were new and inacceptable provisions in the Proposal, there were also known shortcomings in existing University arrangements. But by October, 1972 the existing arrangements seemed inevitable to the Trustees and the majority of the faculty members, or at any rate preferable to the proffered cures. It is unlikely that the Assembly could have come up with a more persuasive document, given the changing mood of the campus, the changing mood of the Assembly members themselves, and the conditions under which they carried out their work. The failure of the Assembly involved a failure of the total University to take advantage of a rare opportunity; after all, at approximately the same time, Princeton and Toronto succeeded in restructuring themselves through governance assemblies.

The majority of Assembly members, especially among the students, entered into Assembly activities in the fall of 1970 with zeal. But if zeal prevailed, it had its converse of suspiciousness. Many students found the faculty timid, the Administration cynical, and the Trustees benighted; others in the Assembly worried that the students were unstable and irresponsible. In a way which transcended constituencies, those ready to contemplate drastic change distrusted those not ready; and the non-compliment was returned. The temper of the Assembly was such as to encourage the use of such parliamentary devices as points of order and quorum calls as tactics for attaining goals not attainable other ways. Maneuvering is legitimate and inevitable in any parliamentary process; but the members of the Assembly were not sufficiently imbued with the importance of coming up with a generally acceptable proposal in a relatively short.

It may be debated how much the preliminary arrangements for the Assembly foredoomed its Proposal. The Preparatory Commission worked in good faith; yet its provisions for so many students and so few administrators in the Assembly probably contributed to the hostile reception of the product of that Assembly (which echoed those provisions). But an Assembly having a lower percentage of students may have been unthinkable here in the summer of 1970. The Commission's task may indeed have been impossible. There was little that the Preparatory Commission, or the Steering Committee, or the Assembly itself could do about the difficulties inherent in trying to convene busy people once a week to consider matters requiring concentrated, disinterested attention. Perhaps the size of the Assembly was too large; perhaps the problems of quorums could have been finessed by more flexible arrangements.

It does seem, retrospectively, that the Steering Committee should have recommended, and the Assembly itself been willing to adopt, a program which provided for something other than having committee after committee report for week after week to an Assembly which meanwhile had no positive collective tasks of its own to carry out. The groundwork for the Assembly might well have been done by a small, select committee with a sizeable staff, or with a number of subcommittees reporting to it, not to the Assembly; which committee could then have developed a proposal for the Assembly to consider. The governance assembly at the University of Toronto had succeeded with such a program.

As things happened at Syracuse, zeal and suspicion blended in a tendency for Assembly members not to be satisfied with arrangements made by others. This showed in the way the committee system worked. Three different committees, for instance, thought it necessary to concern themselves with the idea of an Ombudsman. There was nothing wrong with the general desire for an Ombudsman; there was something unfortunate in the duplication of effort, the expenditure of commitment and time. The duplication appeared elsewhere: the Academic Planning Committee inadvertently invaded the area of concern of the Structures Committee in its recommendations. And in effect the Structures Committee ignored the work of other Committees, such as the Goals Committee; and in effect the work of the Structures Committee itself was repeated detail by excruciating detail by the Assembly itself.

At one point the Assembly considered a two-and-a-half page specification of the qualifications and powers of an Ombudsman. This illustrates in another way the workings of zeal-and-suspicion. The Assembly sometimes seemed distrustful in advance of the governance apparatus it wished itself to set up, and tried to prescribe every minute detail. Some Assembly members wanted a complete spelling out of the bylaws of the proposed University judiciary system. Trying to dictate the future led to frittering away the present opportunity.

And so it was inevitable that participation in the Assembly, especially by the more impatient of the student delegates, would drop off; equally inevitable that many, especially among the faculty members, would reject the Proposal's exigent, if delayed, call for strong faculty-student participation in University governance. More than the reasons expressed on plebiscite ballots, what may have counted most was the sense clearly articulated by Dean Campbell

in his keynote address to the Assembly: "...the primary function of a university is not its governance." The de facto answer to the repeated challenge, "Don't you want to govern yourself?" indeed turned out to be, "No, not most of the time." The analogy frequently made at meetings of the Assembly between Assembly proceedings and those of the American Constitutional Convention of 1787 is a questionable one: the founding fathers of our nation were not involved with the transmission and advancement of learning, nor did they have to consider the best way of paying due heed to a body of "citizens" who were "citizens" only for four years. But Dean Campbell had cautioned that a university is also not comparable to a business corporation, or any other organization. University governance is bound to be an abiding concern in the University community, a recurrent concern for most of it.

There are few practical achievements that can be attributed to the Assembly. Its Proposal failed. The "Accountability Councils" first mentioned during Chancellor Corbally's tenure were developed independently of discussions in the Assembly, and existed for only one year as bodies that reported to the Senate. Similarly, the proposals of the ad hoc Committee on Senate Reorganization and Operations which were presented to the Senate in January, 1974 owed little to the work of the Assembly. In a broad sense, those who participated in the Assembly received an education in the problems of university governance and democratic procedures, even if the rest of the University community did not. But it would be premature to conclude that in four or five years "practical" men will not

"discover" the desirability of instituting some of the changes proposed in 1970-1972.

Was it worthwhile having had an Assembly--apart, that is, from the therapeutic value of oratory as opposed to building takeovers or basket-weaving? We have written about the Assembly because it, like the mountain, was there; it had to be there. Would it be worth having another Assembly? We cannot say. A lot depends on whether the long-range, essentially democratic trend for the faculty and students to seek more control over the institution that brings them together continues--and continues smoothly. We feel it is not tendentious to specify those two groups, since it is they who are engaged in what, as Dean Campbell said, is the "real work" of a university: "teaching, research, scholarship, and the creative work of the artist." A comprehensive, theoretical reevaluation of university governance cannot be ruled out on pragmatic grounds when pragmatism breaks down; and even when pragmatism muddles through, a thoroughgoind reconsideration can provide points of reference and aspiration.

APPENDICES

Appendix A

RESOLUTIONS PASSED AT THE TOWN MEETING AND THE REFERENDUM RESULTS

Resolution 1. (The Student Government Proposal)

The Board of Trustees shall transfer all of their residual power to a governance structure to be determined by a constitutional convention of the University community. That constitutional convention shall be administered by the Agenda Committee of the present University Senate and its results shall be ratified by a 2/3 vote of separate referenda for faculty and students.

Vote: more than 20 per cent in favor--it was put on referendum.

Resolution 2.

This is a long resolution which basically provides for " . . . a structure called an executive council composed of four students (Student Government Pres., University Union Chairman, 1 graduate student, 1 student at-large), four members of the Administration, and two trustees. The issues which this executive council will be dealing with are 'important issues permitting effective administration of the University.' The Chancellor has a veto power which can be overridden by 2/3 vote of the executive council and the University Senate."

Vote: less than 20 per cent in favor--not on referendum.

Resolution 3.

The University Senate shall be composed of 3/8 students, 1/2 faculty, and 1/8 administration, all having equal voting power. The Chancellor shall be given veto power to be overruled by a subsequent 2/3 majority vote of the University Senate; that student services be subject to the legislation of the University Senate; and that the University Senate appoint standing student committees--one for each student service--to periodically recommend improvements in these services.

Vote: less than 20 per cent in favor--not on referendum.

Resolution 4.

The basic parts of this amendment make it a specific concern of the University Senate to be concerned with the budget, specifically setting up a committee of two undergraduates, two graduate students and four faculty members. Also, in order for administrators to have their contracts renewed, it must be voted by 2/3 of the body.

Vote: less than 20 per cent in favor--not on referendum.

Resolution 5.

This is long and complex. Its essentials are 1) a Board of Trustees consisting of "40 of the present trustees, 20 students and faculty, the functions of which body would be the ultimate control and power. There will be an executive committee . . . which will be composed of the Chancellor and seven of the present trustees, three faculty members, one graduate student, and two undergraduate students." The proposal then details

the functions of these bodies, the Council on University Environment (CUE), the Chancellor, and the University Senate.

Vote: more than 20 per cent in favor--on the referendum

Resolution 6.

This resolution is a multi-part resolution essentially providing for a much strengthened University Senate. It allocates to the Senate tuition control and enables the Senate to fire administrators not appointed by the Board. It provides the Chancellor with a veto which may be overridden by a 2/3 vote. Members of the Senate shall be the Chancellor, Treasurer, Dean of Student Services. The Remainder of Administration seats would be equally divided between students and faculty.

Vote: less than 20 per cent in favor--not on referendum

Resolution 7.

All decision-making power will rest in the hands of the trustees. We ask that there be no recognition of students' supposed right to determine the policy of a private institution. The basic issue is whether or not the Administration has betrayed the trust placed in it. We feel that it has not.

Vote: more than 20 per cent in favor--on the referendum

Resolution 8.

That financial administrators of Syracuse University shall make available the financial records of the University, particularly the annual budget of the University, showing the income and disbursements of the University. A summary of the annual

budget will be published in the Daily Orange each year.

Vote: more than 20 per cent in favor--on the referendum.

Resolution 9.

Resolution 1, except that there will be a single referendum of students, faculty, and administrators with a 2/3 vote required for passage.

Vote: more than 20 per cent in favor--on the referendum

After a parliamentary challenge on a technical point, resolution 9 was removed from the referendum.

RESULTS OF REFERENDUM MARCH 4, 1970

Subsequent to Town Meeting*

		Administration (percent for each proposition)	Faculty (percent for each proposition)	Students (percent for each proposition)
Proposition No. 1 (Town Meeting Proposition No. 1)		13 (23 percent)	106 (36 percent)	2086 (54.6 percent)
Proposition No. 2 (Town Meeting Proposition No. 5)		23 (39 percent)	131 (45 percent)	1251 (32.7 percent)
Proposition No. 3 (Town Meeting Proposition No. 7)		22 (37 percent)	51 (17 percent)	477 (12.7 percent)
No vote on ballot		1 (1 percent)	7 (2 percent)	4 (0.0+ percent)
Total		59 (100 percent)	295 (100 percent)	3818 (100 percent)
Proposition No. 4 (Town Meeting Proposition No. 8)	YES	28 (47 percent)	188 (64 percent)	3467 (90.8 percent)
	NO	31 (53 percent)	94 (32 percent)	321 (8.4 percent)
	NO VOTE	0 (0 percent)	13 (4 percent)	29 (0.8 percent)
Totals for No. 4		59 (100 percent)	295 (100 percent)	3817 (100 percent)

*Voters had to choose among Propositions 1, 2, and 3, and vote "yes" or "no" on Proposition 4.

Appendix B

REPORT OF THE SENATE COMMITTEE ON GOVERNANCE
(Kibbey Committee)

A. The Committee recommends that there be held during the fall semester, 1970 a University Assembly on Governance. This Assembly is to restrict its concerns to University-wide policies and University-wide institutions. All constituent units within the University must be represented within the Assembly. The Assembly will consist of two hundred (200) to five hundred (500) members.

B. I. There shall be selected by the Senate as soon as possible a Preparatory Commission to prepare for this Assembly.

The Preparatory Commission will be composed of (3) Trustees, (2) Administrators, (7) Faculty, and (7) Students. Four of the students will be undergraduate and three will be graduate. One of the seven students is to be selected by the Student Afro-American Society--and he may be either a graduate or undergraduate student.

Members of this Commission will be nominated and elected by normal Senate procedures.

II. The function of this Commission will be to:

1. Determine organization of the Assembly, the rules of procedure, and a committee system.

2. Prepare studies of issues, probably to follow the recommended committee system.

3. Hold hearings during May, 1970 concerning the issues.

4. Oversee the election of Assembly members.

5. Arrange staff for the Assembly

III. Additional Matters for the Preparatory Commission:

1. The Preparatory Commission will have a paid staff of three (3), including legal counsel. $10,000 should be allocated for the Preparatory Commission.

2. The Commission should begin its work on April 30, and the staff of the Commission and its chairman should plan to work during the summer months.

C. Ratification:

The Acts of the Assembly will become effective after ratification by the Students, the Faculty, and the Trustees in separate simultaneous plebiscites.

D. Examples of University-wide institutions:

I. Council on University Environment

II. University Senate

III. Board of Trustees

IV. Central Administration

V. Board of Publications

VI. Athletic Board

E. Examples of University-wide policy:

I. Allocation of Resources

II. Admissions

III. Creation of or abolition of academic programs

IV. Intercollegiate Athletic Policies

V. State requirements

VI. Management of non-academic services: dormitory, health, food, and financial aid services.

April 15, 1970

Appendix C

APPORTIONMENT OF THE ASSEMBLY WITH DELEGATE SELECTION PROCEDURES

Constituencies	No. of Delegates	Apportionment and Method of Election
STUDENTS (total 150)		
Undergraduate	80	80 percent of each group by schools, colleges or program; 20 percent at-large.
Graduate	55	
Forestry	5	
Student Afro-Amer. Soc.	10	procedure left to the discretion of SA-AS
FACULTY	120	70 percent from schools or colleges; 30 percent at-large, according to rank.
STAFF (total 21)		
Non-professional	5	100 percent at-large.
Professional	11	
Hourly	5	
ADMINISTRATORS (total 20)		
Academic	17	100 percent at-large
Non-academic	3	
TRUSTEES	5	
ALUMNI	10	
PARENTS	5	
T O T A L	331	

Appendix D

GOVERNING THE UNIVERSITY

by

Alan K. Campbell

Over a decade ago, when a colleague was asked by someone outside the academic world why internal politics within the academic community, particularly relations between faculty and administrators, were so often nasty and mean, he replied, "Because there is so little at stake."

That reply would not be made today and was probably facetious even then. The stakes, however, have increased. They have increased because the external and internal threats to the well-being of universities have become more ominous. American society, proclaiming itself from the beginning an open one, believed the means to accomplishing openness lie with education. We have, therefore, taxed ourselves more, have had a higher proportion of our young people in school, and have put more faith in education accomplishing our equalitarian goals, than any other society on earth.

Simultaneously, education, particularly higher education, has been distrusted. Although necessary to equality of opportunity, it poses the danger of fostering elitism--an elitism based on degrees, credentials, and attitude rather than on birth, class, or money, or perhaps even genuine accomplishments. This danger, added to the inevitable anti-intellectualism of a society stressing equalitarianism, provides a ready base from which to launch attacks on education, educators, and students.

This ambivalence of the external world toward university people has been illustrated in many ways during the past few months, but perhaps most revealingly in recent weeks as the intellectual world has begun to reach out to reestablish friendly relations with the world of organized labor. Labor has reciprocated with caution. As one labor leader said, "There is much bitterness in the union movement over the shocking elitism and condescension with which the so-called intellectuals treat us." He added that, "if the intellectuals want to work with us again, it will be on the basis of equality this time. We don't believe that God appointed them to be our leaders."

I cite this particular example to make clear that it is not only the thesaurus-toting Agnew and his followers who fear and distrust us. That distrust is widespread and will always, in my judgment, exist. The issue is one of degree. Today it is deep and often bitter.

In part, today's unusual bitterness stems not only from the criticisms of society coming from the pens and voices of scholars, but from our seeming inability to govern ourselves. Our internal quarrels have provided our external critics with great quantities of ammunition to throw back at us--however inconsistent those resulting charges may be.

On the one hand, our administrators are charged with lacking control, or not having the guts to use their disciplinary power over faculty and students. On the other, the cry of the students for more power, for more involvement in appointment, tenure,

promotion, curriculum, and other decision areas is echoed by editorial writers and other commentators. In other words, authoritarianism and democratic participation are simultaneously cited by our critics as the organization principles by which we should be governed.

I cite this external environment in which your work will be done, not to suggest that what you do here should be an effort to appease our external critics, but, rather, to demonstrate the importance of the work you are about to undertake. Many of the criticisms made from beyond the campus are but echoes of those heard from within. For example, the inconsistency in demanding, simultaneously, authoritarianism and participation exists within as well as without the universities.

Administrative officers of universities daily face demand by students, faculty, and others to take action on some issue. When an administrator explains that the issue is one which properly belongs to the faculty or some committee thereof, he is often accused of "copping out." It seems that those who are demanding action would prefer that power be centralized. Yet many of those making these demands will the next day cry for more participation for their group, whichever one it may be, in decision-making. In fact, I would argue that one of the central issues which will permeate all the work you do here is this one. You will have to try to create a decision system which is capable of making decisions, while providing the opportunity for all of the affected constituent units to participate in the decision-making.

In achieving that balance, I hope that you will keep in mind that a university is in many ways different from other societal organizations. It never has had the authoritarian structure, at least in theory, that has been true of business, government, or other organization forms. Rather, it is a pluralistic organization, and that very pluralism is what has led to many of our frustrations. When power is shared, and since sharing inevitably involves delays and vetoes, the results are never as clean-cut or decisive as those obtained in a centralized decision-making system. Yet, it is this pluralism which has protected the independence of both students and faculty; it is this pluralism which has often saved the iconoclast, the non-conformer; it is this pluralism which has permitted individual scholars to pursue their own interests; it is this pluralism which has provided diversity and made the university one of the few institutions left in our society where man remains to a large degree his own boss.

A pluralistic system, however, is hard to keep in equilibrium. Power tends to become concentrated--in a faculty faction, or in an administrator, or a Board of Trustees, or elsewhere in the system. No constitutional structure can guarantee the desired equilibrium, but it can provide a framework which at times of imbalance may be used to reassert the role of those being bypassed.

Building pluralism into that framework may on the surface seem easy, but it is not. In fact, the maintenance of a

pluralistic society is being severally tested today in all of our institutions. Old patterns of simplistic representation are not doing the job--be it Congress, state legislatures, city councils, Boards of Directors, etc. New representational systems must be invented, and I hope that you here will give particular attention to that task.

The use of representation devices within a university context is particularly difficult. Although there are identifiable constituencies, the fact is that each constituency often contains as much internal disagreement as that which exists between constituencies. Further, there is a unique complicating factor for one of the constituencies, perhaps the most important one--the students, who are but temporary members, at least in their roles as students of the University community. Although the fact of temporariness does not in any way lessen the stake which students have in the system, it does create significant representational problems.

Difficulty lies in the system's ability to provide a check on the accuracy of the views of the students' representatives since the time dimension of their service provides little opportunity for punishment or reward for those who act as spokesmen.

This problem was illustrated in the fall edition of Touchstone, an enterprise I respect and have strongly supported. Since the compilers and editors were not completely happy with the student responses they received, the editor was critical of

the students. He said:

> The most irritating part of this is that the student population is basically content to let educational exploitation continue. Just consider this booklet. Touchstone represents the grandest opportunity for Syracuse University students to pass judgment on their education. Yet simple analysis of the ten thousand student answer sheets returned would indicate relative satisfaction with the overwhelming majority of courses and teachers.

I know the student who wrote those words, much admire him, and share some of his frustration. Yet the view he expresses, quite appropriate in a signed article, would be inappropriate for a student representative claiming to speak for students. The representative dilemma, perhaps solved by Burke himself, remains unsolved in principle and particularly in a university environment.

Perhaps what is needed is a representation system combined with techniques for eliciting a broader-based set of views and opinions. I do not claim to know the answer to this problem. I do not know that students must be granted genuine power, and that power must be exercised in a way which genuinely reflects student opinion. Your task, and it is a monumental one, is to devise techniques for accomplishing that kind of role for students.

As you struggle, however, with issues of representation, and the means for its accomplishment, I hope you will keep in mind that the primary function of a university is <u>not</u> its governance. Rather, the administrative system--or, if you prefer the governance system--of a university operates only to provide an environment in which the real work of the members of that body may be done.

As we devise schemes for improving the governance of the university, I fear we sometimes lose sight of this fact. We are not alone in this failure. My own discipline of public administration often assumes that the test of an organization's viability is its ability to maintain smooth internal operating procedures. Seldom is the quality of the output of the organization judged as a means of testing its efficiency.

Please do not make that mistake. Do not assume that all of us can spend all of our time participating in decision-making. It is essential that a technique for the delegation of decision-making power be provided in whatever governance scheme you create. That scheme must permit those who have been assigned administrative responsibility the power to carry out their responsibilities. I say this, not to serve the interests of administrators--be they Chancellors, Vice Chancellors, Deans, Department Chairmen, Presidents of Student Government, or Heads of Employee Unions--but, rather, to protect those who do the genuine work of the organization, which is teaching, research, scholarship and the creative work of the artist. A governance system should be designed as much to protect people from administrative work as it is to provide them with it.

This necessity requires, however, that you give as much attention to the procedures of decision-making as to its structure. There must be built-in checks and balances which make it possible for those who do not participate daily in decision-making to still exercise control. Audit systems, checkpoints, and

other devices which provide easy entry to the decision system, are perhaps even more important than is the opportunity for continuous participation. Only in this way will it be possible for those who provide the output of a university to do their work and yet protect their interest and provide them the opportunity to feed their insights and knowledge into the governing process.

I hasten to add that I know of no institution which has successfully accomplished this balance. Your success will depend on the degree to which you accomplish it.

Further, your approximation of an appropriate balance will make stronger the university's role in society at large. Nevertheless, however perfectly you may do the designing job, the tensions between university and society will continue to exist. Internal quarrels also will continue to play a role in the governance of the institution. What is important is that all who have a stake can influence, but not any one of them be able to control those decisions.

Above all, the openness of our universities must be retained; but no champions of authoritarianism, be they from the Left or the Right or the Center, should be given an opportunity to get control. On the other hand, these same groups, or individuals, must be able to find a home within the university. Inconsistent as this may sound, it is essential that all views, all

ideas, find within the university a forum.

Your task is to create an institution capable of containing such disparate views, while simultaneously guaranteeing that the university remain a place, even if it is the only place, in our society where no ideas are silenced, no point of view forbidden, and where no all-encompassing central point of decision-making exists.

Appendix E

BYLAWS AND RULES OF THE ASSEMBLY
ON UNIVERSITY GOVERNANCE

BYLAWS

ARTICLE I. PURPOSE

The Assembly on University Governance, hereafter referred to as the Assembly, shall have as its task the study and evaluation of University-wide goals and University-wide policies by all constituent groups in an atmosphere of mutual trust and cooperation for the purpose of formulating a comprehensive plan for Syracuse University governance.

ARTICLE II. MEMBERS

Section A. All candidates who have been elected through procedures prescribed by the Preparatory Commission on University Governance and fully certified by that Commission shall be designated duly qualified delegates to the Assembly.

Section B. Challenges to the eligibility of any delegate to take a seat shall be heard by the Credentials Committee of the Assembly, whose decision shall be final.

Section C. Delegate seats which fall vacant shall be filled by procedures proposed by the Steering Committee and approved by the Assembly.

ARTICLE III. RIGHTS OF ASSEMBLY MEMBERS

Section A. Delegates have the right to introduce resolutions and make motions in the Assembly subject to the provision of the Assembly Rules.

Section B. Delegates may participate in debate and vote on any matter coming before the Assembly, subject to the provisions of these Bylaws and of the Rules.

Section C. Delegates who have been elected to membership on a Standing Committee shall have these same rights in their own committee. Any delegate may attend any committee meeting without voting privilege or right to participate in debate except by invitation. In extraordinary circumstances a committee may, by vote of three-fourths of its membership, hold executive session from which all non-members are excluded.

Section D. Visitors to the Assembly or any committee may be permitted to address the body, though never to vote, by requesting permission of the Chair, who shall grant it with the consent of the body.

ARTICLE IV. OFFICERS

Section A. The chairman of the Steering Committee shall serve as temporary Chairman of the Assembly and shall preside until such time as a Chairman is elected.

Section B. A Chairman and a Vice Chairman of the Assembly shall be elected at the first regular session of the Assembly. One or more nominations for these offices from the floor at the first regular session shall be accepted if seconded by at least five (5) delegates. Nominees to these offices do not have to be delegates to the Assembly. If any nominee receives a majority of the votes cast on the first ballot, he shall be Chairman

and the nominee receiving the second greatest number of votes cast shall be Vice Chairman. In the event that no nominee receives a majority on the first ballot, the two nominees receiving the largest number of votes on the first ballot shall be the candidates for Chairman and Vice Chairman; another ballot shall be cast and the candidate receiving a majority of the votes cast on that ballot shall be the Chairman and the other candidate shall be Vice Chairman.

Section C. A Parliamentarian shall be appointed by the Chairman of the Assembly, subject to approval of the Assembly.

Section D. The duties and prerogatives of the Officers of the Assembly shall be:

1. The Chairman shall preside at all meetings of the Assembly, shall serve as an ex officio nonvoting member of the Steering Committee, and may attend any meeting of the Assembly committees.

2. In case of a tie in the Assembly, the Chairman of the Assembly may break the tie vote.

3. In the absence of the Chairman, the Vice Chairman shall assume the duties and prerogatives of the Chairman. If both Chairman and Vice Chairman should be absent from the Assembly, the Chairman of the Steering Committee shall preside.

4. The Parliamentarian shall provide counsel to the Chair on questions of procedure, using these Bylaws, the Assembly Rules, and the current edition of Robert's Rules of Order.

Section E. All officers shall hold office until after the simultaneous plebiscites and provisions for implementation of the results have been completed (see Article XII). They may assist in negotiating any issues at controversy remaining at that time.

Section F. Vacancies among the Officers may be filled by a procedure proposed by the Steering Committee and approved by the Assembly.

ARTICLE V. MEETINGS

Section A. The first regular session of the Assembly shall have been called by the Steering Committee, which shall fix the time for subsequent regular meetings.

Section B. A quorum for the transaction of business shall be one hundred twenty-five (125) delegates, provided that each of the three caucuses is represented by no less than one-fifth (1/5) of their total number; the three caucuses being:

1. Students;
2. Faculty;
3. Administrators, staff, trustees, alumni, and parents.

Section C. A special meeting may be called with one week's advance notice, such period to include five full academic working days, by:

1. The Steering Committee, when it so decides by a majority vote;

2. The Chairman of the Assembly, upon presentation of a petition signed by sixty (60) delegates. The petition must state the purpose of the special meeting.

The notice for a special meeting must be postmarked no later than midnight of the preceding eighth day and must include a statement of the purpose for the meeting. The business of the special meeting shall be restricted to the purpose for which it was called.

ARTICLE VI. COMMITTEE SYSTEM

Section A. The following shall be the Standing Committees of the Assembly:

1. Steering Committee
2. Goals Committee
3. Structures Committee
4. Credentials Committee
5. Final Draft Committee
6. Final Report Committee
7. Working Committees:
   a. Academic Planning Committee
   b. Non-academic Planning Committee
   c. Fiscal Resources Committee
   d. Community Relations Committee
8. Resolutions Committee

Section B. The size and composition of the standing committees shall conform to the following guidelines:

1. The Steering Committee shall consist of one undergraduate student delegate, one graduate student

delegate, two faculty delegates, one trustee delegate, and one other delegate drawn from the group composed of administrators (senior non-academic and academic), staff (professional, clerical-technical, and hourly employees), trustees, alumni and parents. In addition, the Chairman of the Assembly, the Chairman of the Structures Committee, and the Chairman of the Goals Committee shall be non-voting ex officio members of the Steering Committee.

2. The Goals Committee and the Structures Committee shall each have a number of members determined by the Steering Committee and such that there shall be not less than three undergraduate student delegates, three graduate student delegates, one black student delegate, seven faculty delegates, one trustee delegate, one staff delegate, one administrator delegate, and one alumnus.

3. The Final Draft Committee, the Final Report Committee and the Credentials Committee shall each have at least six (6) members.

4. A Working Committee shall be composed of not less than five (5) members.

5. Any delegate requesting a committee assignment shall receive one. No delegate may serve on more than one committee.

Section C. Nominations to all the standing committees other than the Steering Committee shall be made by the Steering Committee at the first regular session of the Assembly. Nominations to the committees from the floor

will be in order at the first regular session of the Assembly. Election of committee members will take place at the first regular session of the Assembly.

Section D. The first meeting of each standing committee other than the Steering Committee shall be called by the Steering Committee within ten (10) academic workdays after the first regular session of the Assembly is adjourned.

Section E. The duties of the Standing Committees shall be:

1. The Steering Committee shall

a. arrange agenda of each regular and special session;

b. appoint a Recording Secretary to record all the business of the Assembly;

c. nominate candidates for Chairman and Vice Chairman of the Assembly (see Article IV);

d. appoint an Assembly office manager;

e. nominate members of all committees other than the Steering Committee;

f. monitor attendance at meetings of the Assembly;

g. establish procedures by which to fill vacant delegate seats;

h. establish procedures by which to fill a vacant office;

i. be responsible to the Assembly and University community following the plebiscites for

initiating implementation of all Acts of the Assembly submitted for and receiving approval by the Students, Faculty and Trustees;

j. call the first meeting of each standing committee other than itself;

k. facilitate the cooperation of the standing committees;

l. call a committee meeting when one-third (1/3) or ten (10) members of the requesting committee, whichever number is smaller, so requests.

2. The Goals Committee shall prepare a statement or statements of the goals and purposes of Syracuse University. This committee is to report to the Assembly at its second regular session.

3. The Structures Committee shall

a. consult with other committees, consider their reports and recommendations, and develop a statement or statements describing a desirable governing structure for Syracuse University. The statement(s) should describe

(1) the formal body or bodies which will comprise the governing structure and the relationships of those bodies within the governing structure;

(2) the nature of authority each formal body has in the decisionmaking process in the various areas of concern to the University community;

b. submit to the Assembly a description of a governing structure at a regular session following completion of its deliberations.

4. The Credentials Committee shall hear and decide challenges to the eligibility of any delegate to take a seat or requests by any delegate to take a seat other than the one assigned to him by the Commission. The Credentials Committee shall make a prompt report to the Assembly of any such decisions.

5. The Final Draft Committee shall prepare the final proposals of the Assembly. These shall be submitted to the Assembly for approval and subsequently to the University community through the ratification plebiscites (see Article XII).

6. The Final Report Committee shall prepare a report which will contain a comprehensive history of all activities of the Assembly. This report is to be published together with the final report of the Preparatory Commission on Governance.

7. A working committee shall

a. study the existing structure and process of decision-making for areas designated by the Steering Committee with the goal of answering questions such as:

(1) What is the existing decision-making process?

(a) Who is involved in decision-making in that particular area and what is the nature of that involvement?

(b) From what source does the authority of the decision-making body derive and what power does it exert over others, both within and without the area concerned?

(c) What is the formal process of decision-making in that area?

(d) What is the informal process of decision-making in that area?

(e) What are the constituencies served by that decision-making body? What are the avenues of communication between such constituencies and the decision-making unit?

(2) What, if any, changes should be made in the decision-making process in order to achieve more successfully the goals of the University by improving

(a) participation?

(b) allocation of authority?

(c) the formal and informal procedures for decision-making?

(d) service to constituencies?

(e) communication at all levels?

b. submit a report of its findings and recommendations to the Assembly for referral to the Structures Committee preferably not later than two months following the second regular session of the Assembly. When possible, interim reports and position papers should be exchanged among committees.

8. The Resolutions Committee shall consider all resolutions presented to it by member delegates and committees of the Assembly as provided for in Article IX, "Resolutions."

It may combine, amend and edit any such resolutions, and it may propose resolutions of its own.

It shall report its deliberations to the Assembly, and report out the final form of any such resolutions as provided in Article IX, "Resolutions."

Section F. The Assembly shall form such other special committees as it shall deem necessary for the proper functioning of the Assembly.

Section G. Each standing and special committee shall elect its own chairman.

Section H. The chairman of a standing or special committee shall call meetings. Upon request of one third (1/3) or ten (10) committee members, whichever number is smaller, he shall call a special meeting. If no meeting is called upon such request, then the Steering Committee upon receipt of a copy of that request shall call a meeting of the committee.

Section I. Each standing and special committee may, at its discretion, appoint consultants as non-voting members to its committee. Such members shall serve to aid the committee members in their research and information-gathering activities. These members may or may not be delegates to the Assembly.

ARTICLE VII. MAIN MOTIONS

Section A. A main motion is one which is intended to commit the Assembly to substantive action.

Section B. Main motions may be placed upon the agenda in the following ways:

1. The Steering Committee may place a main motion on the agenda through its initiative or when it decides to place a motion on the agenda submitted to it by an individual member.

2. The majority report and subsequent main motion(s) of a committee are automatically placed on the agenda.

3. A minority of one-fifth (1/5) of a committee may automatically have its report and subsequent motions placed on the agenda.

4. A motion to place an item on the agenda may be made by any Assembly member and will pass if two-thirds (2/3) of the members present vote in favor of the motion. The moving member must also be responsible for providing written copies of the main motion to all Assembly delegates present before any action is taken on the main motion.

5. Any main motion given to the Steering Committee within the proper time limits (see Article VII. Section C) and seconded in writing by twenty (20) Assembly members, must be placed on the agenda.

Section C. In each of the above instances, excepting Section B.4, the Steering Committee must receive the main motion in time to make written copies of the motion and

distribute those copies before the start of the regular or special meeting.

Section D. Voting on motions shall be according to the current edition of Robert's Rules of Order except that:

1. a roll-call vote may be taken on any main motion or amendment thereto by a vote of one-fourth (1/4) of the members present; and

2. a motion for the previous question shall be in order only after two delegates shall have spoken in favor and two against a pending motion; or when no delegates are seeking recognition on the motion, the Chair may put the question on his own initiative.

ARTICLE VIII. PROCEDURAL MOTIONS

All motions other than main motions, exclusive of a motion calling for a roll-call vote on a main motion or amendments (see Article VII), are governed by the current edition of Robert's Rules of Order.

ARTICLE IX. RESOLUTIONS

All proposed resolution shall be presented in writing to the Resolutions Committee two weeks before any Assembly Meeting at which they may be considered. The Resolutions Committee shall distribute written copies of their final proposed resolutions five (5) working days before the Assembly meeting. An exception may be granted for resolutions proposed from the floor only if written copies are distributed to the delegates and the Assembly

agrees by a two-thirds (2/3) vote to consider such resolutions. The motion for the required two-thirds (2/3) vote shall be non-debatable.

ARTICLE X. AMENDMENTS

A proposed amendment to the Bylaws or Rules must be submitted with the recorded signatures of not less than twenty (20) delegates not less than ten (10) academic working days in advance of a regular meeting. The amendment is to be submitted to the Steering Committee for distribution to the Assembly before a regular meeting. It will require the vote of two-thirds (2/3) of the delegates present to pass such amendment.

No amendment to the amendment to the Bylaws or Rules can be made if it substantially changes the intent of the amendment. The Chair may rule such an amendment to an amendment to the Bylaws or Rules out of order unless two-thirds (2/3) of the members present vote to overrule him. No amendment to an amendment to the Bylaws or Rules can be offered which would reverse the effect of the amendment.

ARTICLE XI. PROCEDURAL MATTERS

The Chair, using the current edition of Robert's Rules of Order as a guideline, shall rule as to which matters are procedural. The Chair may be overruled in such instances by two-thirds (2/3) of the members present and voting.

ARTICLE XII. THE EFFECT OF ASSEMBLY RECOMMENDATIONS

The Structures Committee shall prepare rules and procedures for the plebiscites for adoption by the Assembly before the final draft document incorporating all approved recommendations has been voted upon by the Assembly. In conformity with such rules and procedures the recommendations of the Assembly shall be submitted for approval in three separate, simultaneous plebiscites to the Students, Faculty and Trustees respectively. The Trustees may, prior to the plebiscites, solicit the judgment and advice of alumni, parents and staff. The administration of the plebiscites shall be under the supervision of and the results certified by the Credentials Committee. If ratified by a simple majority of those voting in each of the three constituencies, the recommendations of the Assembly will be deemed to have been approved and their implementation to have been mandated.

ARTICLE XIII. PARLIAMENTARY AUTHORITY

The Assembly Rules shall govern procedures for submitting resolutions, voting, etc. Matters not covered in the Rules nor in these Bylaws shall be governed by the current edition of Robert's Rules of Order.

ARTICLE XIV. RATIFICATION

These Bylaws and Rules shall take effect upon approval by a majority of the delegates present and voting at the first regular session of the Assembly.

RULES

1. Delegates who have proposals for policy to be adopted by the Assembly should bring a legible copy to the Assembly Office, Physics 245, at the earliest time possible. The Steering Committee will then review the proposal. They may place it on the Assembly agenda directly, on their own initiative. Or, they may refer the measure to one of the Standing Committees for review. If a majority of the committee to which it is referred favor it, the committee report will contain the proposal. If a minority of one-fifth (1/5) of the committee favor it, the proposal may be submitted to the Assembly as a minority report. If the committee fails to approve, the author may ask the Steering Committee to add it to the agenda despite the unfavorable committee consideration. If he has obtained written seconds for the proposal from twenty Assembly delegates, it is mandatory that the document be entered on the agenda by the Steering Committee. Finally, if none of these methods has produced favorable consideration, the author may move on the floor of the Assembly that his proposal be added to the agenda, and if two-thirds (2/3) of the body approves, it shall be done, provided that copies must be reproduced for all delegates attending the session before it can be considered.

2. Motions by delegates that have to do with procedure, as determined by the Chair, shall not be

subject to the above rule, but may be introduced from the floor of the Assembly and considered under rules as outlined in the current edition of Robert's Rules of Order. Delegates should read carefully the digest of common parliamentary rules given below, keeping in mind that rules exist to further the work of the body, not for themselves, and no legitimate business or reasonable action of the Assembly should be prevented by their use. The Assembly Parliamentarian will be available for consultation if further guidance is needed.

3. On most questions, voting shall be by voice, with those favoring the motion saying "aye" and those opposing saying "no." The Chairman then announces which side he believes larger by saying "the ayes have it and the motion is carried," or "the noes have it and the motion is lost." If any delegate believes the decision announced by the Chair is in error, he may rise and say "division" or "I request a division of the house." This may be done at any time up until another motion is stated by the Chair as being before the body. It may interrupt a speaker. The Chair then asks the affirmative and negative sides to stand in turn. If there is still doubt, one-fourth (1/4) of the Assembly may request a "roll call" vote. This procedure will be explained by the Chair at the time of the vote.

4. The Standing Committees of the Assembly are responsible to the whole body and submit the results of

their investigations and deliberation to the Assembly for adoption. The Credentials Committee shall be excepted from this requirement in order to assure prompt and decisive action on questions of seating delegates. When reports are received from Standing Committees, the committee ordinarily will rise and take places before the body and facing it, the chairman of the committee temporarily assuming the Chair. A report may be amended from the floor with the committee's consent; if the committee does not consent to the amendment, two-thirds (2/3) of the delegates present and voting must approve the amendment in order to add it to the committee report. Adoption of minority reports requires a majority of those present and voting, as does the adoption of the report as a whole.

5. Debate on the floor of the Assembly may be limited in order to complete the business of the body by proposal of the Steering Committee, whose motion takes precedence over all pending business. The Steering Committee shall offer a rule to govern debate (e.g., that it be limited to two additional speakers on each side of the question; or that debate cease and the vote be taken at 6:00 p.m.) which the Chairman will put to an immediate vote. If the rule should fail of a majority, the Steering Committee may offer a compromise rule or may allow debate to continue without limitation.

Appendix F

REPORT OF THE STRUCTURES COMMITTEE TO THE ASSEMBLY ON UNIVERSITY GOVERNANCE*

The intent of the revision embodied in the following 15 points is to delegate the authority and responsibility for determining the basic policies under which Syracuse University shall operate and develop to the internal constituency of this University. Much of the report is necessarily devoted to a description of a proposed University Governing Board. This is not intended to detract from the need for effective leadership from our administrators or to inhibit their procedures. Indeed, the intent is to simplify their tasks and enhance their effectiveness by providing a relatively small group through which each can be accountable. The Chancellor will retain his central administrative authority over all University activities and, through the Executive Committee described below, have a simple direct means of implementing action.

Implementation of the 15 items stated below will require changes in the By-laws of the Board of Trustees. The numbers following each item designate the section requiring change. A draft of the present By-laws as amended by these points is available.

Approval of this document by all three constituent groups shall signify that each group finds the specific working of all 15 points acceptable. The By-laws of the

*This report of the Structures Committee was approved and authorized for release by the Committee at its meeting of April 22, 1971.

Board of Trustees will be revised so as to incorporate the wording used in this document insofar as possible. The Structures Committee of the Assembly shall advise the Trustees' drafting committee and legal counsel on behalf of the Assembly and the three constituencies.

I. The Board of Trustees shall retain its legal responsibility for Syracuse University.

II. There shall be a University Governing Board which shall determine policy and legislate on all matters concerning the University. Decisions of the UGB shall be deemed conclusive unless and until the Board of Trustees shall take negative action thereon, in which case the decision shall be referred back to the UGB with reasons for such action. After further consideration, the UGB can override the Board's veto by a 2/3 vote on all matters except (a) endowment, (b) physical assets, (c) investments, and (d) the amount of the operating budget. When it is deemed vital to the "interest of the University," the UGB by an absolute majority, may call for a special meeting of the Board of Trustees or its Executive Committee. (Article I, Section 2, Article IV, Section 1, Article VI, Section 6, Article VI, Section 7)

III. The UGB shall be composed of 100 duly elected representatives of the University community: ____faculty, including academic deans and department chairmen, ___students, ___professional staff and ___classified staff.

The chairman of the Board of Trustees or his designate shall be an ex officio member of the UGB without vote. All faculty and student representatives shall be elected by their respective college or school, and if affiliated with more than one academic unit, shall be eligible for election from one unit only. In those academic units with more than one faculty delegate there shall be representation of faculty by rank approximating the proportion of full professors to the collective junior faculty. In those academic units with more than one student delegate there shall be representation of students by level approximating the proportion of undergraduate students to graduate students. Each delegate shall be elected for a term of one year. The number of consecutive terms which a delegate may serve shall not exceed four. (Article VI, Section 6)

IV. There shall be a standing committee of the UGB corresponding to each major administrative area of the University. Initially there shall be the following four: Academic Affairs, Administrative Operations, Student Affairs, and University Relations. All members of these standing committees shall be elected by the UGB from its membership. Each standing committee shall elect its own chairman. During the UGB's first year of operation, the number of voting members of these committees shall be not more than 9. (Article VI, Section 7)

V. These standing committees shall prepare guidelines for the administration of their respective areas

for the approval of the UGB. Each of these standing committees shall advise the vice chancellor in its respective area. The committees shall review all matters of policy prior to submission to the UGB for approval and shall be the vehicle through which business affecting its area is normally brought before the UGB. Each standing committee may have such sub-committees as needed, to report to and facilitate the work of the standing committee. (Article VI, Sections 2 and 7)

VI. The UGB shall create such other committees as it deems necessary.

VII. a. There shall be an Executive Committee; it shall consist of the chairmen of the standing committees which correspond to the major administrative areas of the University and four members elected by the UGB from its membership. The Chairman of the Board of Trustees or his designate shall be an ex officio member without vote. The Committee shall elect its own chairman who shall be ex officio a member of the Board of Trustees, and its Executive Committee, without vote and shall report for the UGB to the Board of Trustees.

b. The Executive Committee shall serve as the primary link between the Chancellor and the UGB. The Chancellor shall be accountable to the UGB through the Executive Committee for the execution of policy. Through its connections with the four major standing committees it can function as a means of initiating

necessary action in the UGB and be a source of information to the Chancellor on attitudes of the various UGB committees.

c. The Executive Committee shall also serve as the agenda committee of the UGB and shall be responsible for seeing that the UGB fulfills its responsibilities as the governing body of the University. The Executive Committee, augmented by the appropriate standing committee, is authorized to act for the UGB in summertime or on other occasions when it is not practible to call a meeting of the UGB. When such action is taken, a full explanation of the action and the reasons therefore must be presented at the first subsequent meeting of the UGB. (Article III, Section 1, Article IV, Section 1, Article V, Section 2, Article VI, Section 7)

VIII. The vice chancellors shall be appointed by the Chancellor with the advice of the appropriate standing committee and the consent of the UGB. Their appointments shall be terminated by the Chancellor on his own determination or when an absolute majority of the UGB so recommends. They shall exercise appropriate initiative in formulating programs for approval by the Chancellor and the UGB. (Article VI, Section 2)

IX. The Chancellor shall be the chief administrative officer of the University and shall have general charge of all activities of the University subject to policies and general directions set by the UGB. He shall be

ex officio a member without vote of every committee of the UGB. He shall exercise appropriate initiative in developing specific programs for approval of the UGB. (Article VI, Section 1)

X. The Chancellor shall be elected by the Board of Trustees upon agreement of the UGB. His service shall be reviewed systematically at least every four years, and may be terminated only by joint action of the Board of Trustees and the UGB. (Article IV, Section 1, Article VI, Section 1)

XI. By appropriate legislation, the UGB shall create a judicial procedure to insure a due process mechanism for all members of the University. The Highest Court of Appeals shall be an independent body, and its decisions shall be final (Article VI, Sections 7 and 9)

XII. The office of Ombudsman shall be established . . . . . whose purpose shall be to assist members of the University community who are stymied in the University processes. (Article VI, Section 7B)

XIII. Government of Schools and Colleges: The faculty and students of each school and college shall have jurisdiction over the internal affairs of their college, including the establishment of a suitable college-level governing structure insuring participation of faculty and students in the determination of intra-

college policies. Decisions of the college governing body shall be final unless and until the University Governing Board shall take negative action thereon. The deans and directors of academic units shall be appointed by the Chancellor with the advice and consent of the appropriate committees of their respective departments, programs, divisions or colleges. Their appointments shall be for three years, subject to review and renewal by the Chancellor and the Committees. They shall exercise appropriate initiative subject to the approval of the Chancellor and their respective governing boards. (Article VI, Section 8)

XIV. By May 1, 1974 and at a maximum of five-year intervals thereafter, the UGB and the University community shall re-evaluate the governance structure of Syracuse University, including: the re-apportionment of representation within the UGB, a review of the By-Laws of the UGB, and the relationship between the UGB and the Board of Trustees. A petition signed by an absolute majority of the UGB or by 1/10 of the total number of students, faculty or trustees requires that a referendum be held within 90 days on the change in the governing structure of Syracuse University proposed by that petition. The referendum proposal shall be deemed adopted if approved by a majority of all three constituencies. (Article X, Section 1A)

XV. The UGB shall create an election commission to oversee elections.

Appendix G

MINORITY REPORT

OF THE STRUCTURES COMMITTEE*

The basic premise of this minority report is that the majority, though properly affirming the principle of self-government for the University community, have oversimply conceived the "self" which is to be self-governing and have, therefore, failed to provide fully for the strongest expression of all the different elements in the University. Specifically, the majority report improperly restricts, in my opinion, the role of the Trustees and of the Chancellor. I believe that I understand the concerns that lead to these restrictions, and I sympathize with a number of particular complaints which have been leveled against past University policies. But, in the present critical situation of the University, we need to concentrate on how Trustees and Administration, as well as Faculty and Students, can make their best contributions to the University as a whole. Those contributions will be made when we recognize not only our common stake in the University but also our very different functions and abilities in the University enterprise.

A second, and also important premise of this minority statement is that though we are bound to try to restate the relation between the different structures in University governance, we are bound also to recognize that the distinctions between those structures and their

*Donald Meiklejohn, a member of the Structures Committee, submitted this Minority Report, also on April 27, 1971.

related functions cannot be entirely clear or rigid. We can say that students' business is primarily to study, and faculty business to study and teach, and administration's business to "administer," and trustees to oversee the long-run financial and educational mission of the University. Yet we understand that these lines can hardly be entirely clear. We understand, that is, that mutual confidence, good humor, and persistent consultation must be maintained in the various areas where these different "businesses" meet and overlap. It is thus no final objection to a plan for structures to say that it is not totally clear: we should be as clear as we can, but should not pretend that we have succeeded completely.

* * *

Given these two premises, of the need to recognize the several powers that constitute the University, but also to reckon with their overlapping and the need for their friendly cooperation, it seems to me that the majority report is deficient in a number of ways:

1) It removes the Trustees as far as possible from the policy-making activities of the University, going beyond the traditional practice by the Trustees of leaving academic matters alone and requesting that the Trustees accord a like laissez-faire to all other policy matters as well and assuring the Trustees a final decision only after the University Governing Board has

formulated policy on endowment, physical assets, investments, and the annual operating budget. The Trustees are requested, that is, explicitly to reduce their power to that of final review on these fiscal matters--and no others.

2) It proposes, despite some disclaimers in the preamble, to reduce the Chancellor's power to supply leadership to the University and to keep him under the surveillance of the University Governing Board. Specifically, it makes the election of the Chancellor dependent in the first instance on the Governing Board's initiative, with the Trustees able to select him only from a list offered by the Governing Board. (This seems a clear instance of where, as in the past, there should be a joint committee for selection, including Trustees, Faculty and Students.) Secondly, it assigns secondary status to the Chancellor, and to his Vice-Chancellors, in all policy matters, including fiscal matters. It interposes, constitutionally, the University Governing Board between the Trustees and the Administration. However much the majority disclaim this intention, such provisions are at odds with present demands for leadership as well as for financial accountability.

In the light of the above, I shall move in the full Assembly appropriate amendments to the Report of the Structures Committee. In fact, the Committee work, which has been diligent and exhaustive, has not been directed

to finding structures for the functions formulated by the working committees; though we have heard and seen their reports, we have paid no express attention to them. Given the limitations of time, that was perhaps inevitable. But the same time limitations indicate that, as we think about a dramatic change in the University's governance, we must act with deliberation, and not in reaction against old grievances, or prospective interferences by forces of reaction.

As will be evident from the limited scope of the amendments I shall offer, I subscribe to a major shift in the direction of locating power more nearly in a Governing Board dominated by Faculty and Students--though again I believe, as against the majority, that the administration should have some votes in that body. I think, that is, that the Faculty and the Students are the primary elements of the University. But I believe also that Trustees, Administration, and further Alumni and Staff and Parents are parts of the University and should have some votes in its governance. To ignore those roles is to invite Faculty and Students to assume responsibilities of governance which Trustees and Administration now fulfill, which would turn the Faculty and Students concerned, pro tem., into Trustees or Administration. For some, this might be a heady experience. But it is hard to believe that it would further their fullest academic development or would most promote the fortunes of the University.

Appendix H

STATEMENTS FOR AND AGAINST

THE FINAL PROPOSAL

A Statement Supporting the Proposal of the Assembly on University Governance

The proposed governance structure seeks to create a community in which decisions are made openly and with the participation of those whose interests are most vitally involved. Its cornerstone, the University Governing Council (UGC), is designed to ensure the effective participation of University members in the decision-making process.

Shared Authority

Decision-making authority is vested in the UGC, a functional legislative body that has significant authority to make policy in the essential areas of academic affairs and student life. In particular, strong provisions are made for the UGC to have a significant role in the preparation, monitoring, and approval of the budget. In addition, two other innovations will be established: a university Ombudsman, who will investigate individuals' grievances against the system; and a judiciary, independent of the UGC and the administration, to ensure due process for all members of the University community.

The UGC is designed to be functional and representative. The Governance Assembly document provides for the initial creation of four basic working committees--Academic

Affairs, Administrative Operations, Student Affairs, and University Relations--that parallel the structure of the central administration. As such, faculty, students and staff will work intimately with the respective Vice Chancellors of their committees in developing and reviewing policy for action by the UGC. These committees have an additional advantage over the existing advisory councils in that they provide for genuine accountability.

The decision of the Assembly to call for the establishment of a strong faculty-student legislature--and indeed the impetus for having the Assembly in the first place--is based on the failure of the existing system of governance to deal with many serious problems facing Syracuse University to the satisfaction of faculty and students. The basic criticisms of the existing structure center around the weak posture of the existing Senate and the absence of accountability of decision-makers in the central administration.

The current Senate was never designed to be an effective legislative body. Its legacy is one of lack of authority and sense of purpose. Recent attempts to assert some authority have led only to frustration, with the administration left unaccountable for its decisions. As a result, confrontation politics has become the rule rather than the exception; resorting to coercion becomes seen as a legitimate means of effecting policy by an increasingly large number of University members.

This governance proposal, if adopted, will go a long way toward rectifying this regrettable condition. The Senate will be reborn as the UGC and it will have the authority to act as a responsible body and to assure the responsiveness of administrators. By sharing in the decisions that vitally affect their lives, faculty and students will actively participate in creating their own learning environment.

This new governance structure will not mean the demise of the Chancellor and his Administration as active leaders in the university. Their central role in the marshalling of information, in the monitoring of existing programs, and in initiating plans for future development, will mean that their active participation in decision making will be integral to the success of the new system. However, the new system will eliminate administration control of decision making, so long a part of university life. Although the Chancellor will have the right of veto, when ultimate authority need be invoked in academic and student matters, the UGC may overrule the Chancellor by a 2/3 vote. However, there is much reason to believe that with this new participatory system of governance, grievances will be resolved within the UGC and not through open battle with the administration. This is because decisions, under the new system, will be resolved through shared responsibility of the Chancellor and the UGC rather than being the sole

responsibility of the Chancellor as is presently the case.

The role of the trustee under the new governance guidelines will remain virtually unchanged. Their legal responsibility will be preserved. Their authority in those areas with which they have been most actively concerned--endowments, physical assets, investments, and the amount of the operating budget--will remain undisturbed. What will change will be their delegation of authority for academic and student matters. What heretofore has been delegated to the Chancellor will now be delegated to the UGC in cooperation with the Chancellor, who remains the chief executive officer.

A further dividend that the new governance structure offers is added communication between the academic community and the trustees. The chairman of the Board of Trustees or his designate will be an ex officio member of the Executive Committee of the UGC, and the Chairman of the UGC's Executive Committee will, in turn, be an ex officio member of the Board and its Executive Committee.

Participation and Parity

The underlying assumptions of the Assembly's proposal are twofold. First is the necessity for faculty and students to assume a larger responsibility in the governance of their institution. No longer can faculty and

students allow competition among themselves for scarce resources and with administrators for power to reduce campus governance to a state of chaos and irresponsibility. The campus community must take on the responsibility for governing itself or risk the consequences of a continued subordinate role. The second assumption is that faculty, students, and staff are capable of governing themselves with the advice, cooperation, and assistance of Administration and Trustees. If a current lack of expertise exists among faculty and students, it is a condition engendered by a denial of information and expertise under the current governance arrangement, and a condition easily rectified by removing those barriers to communication and cooperation. This is precisely what the new governance structure seeks to accomplish.

The new UGC provides for broad representation of diverse campus constituencies, including proportionate representation by rank for faculty and by undergraduate/graduate status for students. Professional and classified staff will be elected at-large by each constituency. In addition, the new UGC limits the time that a representative may be elected to no more than four consecutive years, thus ensuring that a permanent clique will not control the UGC.

To understand the primary reason for parity, one must recognize that the UGC will legislate for the entire University community. It should be noted though that

parity in the UGC does not imply parity in committee structure. Committees handling faculty matters will likely have a majority of faculty members, while committees handling student matters will have a majority of students. With parity, each constituency will have an equal voice in determining whether a given issue is principally a student concern or a faculty concern. At less than parity, the students are forced into the undignified posture of begging for votes from a sympathetic majority. Parity means that issues must be resolved by persuasion rather than pure power or authority relationships. Moreover, parity is fair--fair to the students and fair to the faculty. Any other ratio is not.

Suppose that a matter comes before the UGC which is of greater concern to the faculty than the students. It will be referred to a committee on which faculty members are a majority and the report of the committee will reflect faculty attitudes on the issue, tempered by the opinions of students and staff on the committee. When presented to the UGC for approval, it will represent faculty opinion on a faculty matter. For approval, the faculty will require the affirmative votes of only 6 of the 55 staff and student representatives. A good report will get the required votes. Some of the matters that come before the UGC will be chiefly student concerns. Students may similarly be assured that when such matters

come up, the procedure and the outcome will reflect the attitudes of the student constituency.

In conclusion, it is clear that the proposed governance structure provides a unique opportunity for the University community to embrace the democratic principles of shared authority in decision-making. This document will establish the right of representation and the assurance that the voice of the community will be reflected in University policy.

A Statement Opposing the Proposal of the Assembly on University Governance

The Assembly document would provide a form of government for our University that contains at least two flaws. The flaws have to do with the relationship of the proposed University Governing Council (UGC) to the Chancellor and his administration and with the apportionment of the UGC.

The UGC and the Chancellor: A Shift in Authority

All authority within the University to make policy, hire and fire professors and staff, enter into contracts, borrow money, determine budgets, etc. is presently derived from the legal authority of the Board of Trustees to do these things. The Assembly document does not propose to change this arrangement. What the document does propose, in effect, is that the Trustees will delegate their authority differently than they presently do--it proposes a shift in penultimate authority.

Presently the Trustees delegate most of their responsibilities to the Chancellor of the University. He in turn delegates many responsibilities to Vice-Chancellors, Deans, Directors, and various committees and bodies within the University. In the present structure the University Senate is delegated "general supervision over all educational matters concerning the University as a whole" but this authority is subject to the concurrence of the Chancellor and the Board of Trustees (Art. VI Sec. 7, Bylaws of Syracuse University). The Assembly document would have the Board of Trustees delegate penultimate authority on most matters to the proposed UGC (the replacement for the Senate) rather than to the Chancellor. Rather than have a Senate that supervises educational matters subject to the Chancellor's direction, the Chancellor will administer matters subject to the direction of the UGC.

This shift in delegated authority is most explicit in the proposed budgetary procedures. Though the document says that the Chancellor is responsible for submitting the budget to the Trustees, he must prepare the budget in close consultation with the UGC committee and then submit it to the UGC for amendment and approval. If the UGC does not finish its work on the budget, the Chancellor is prohibited from submitting a budget to the Trustees that goes contrary to prior actions of the UGC (Sec. IV b of the Assembly document).

It is not clear to what degree the Assembly document calls for a shift in other areas of responsibility than the budget. Clearly authority to set "policy" in all of the four main administrative areas is to be shifted to the UGC, subject only to the overrideable veto of the Chancellor and the ultimate authority of the Trustees. Another phrase specifies that the UGC is to "legislate on all matters concerning the University." This phrase can be construed as shifting to the UGC the penultimate authority of the Chancellor to appoint all officers and staff of the University and to supervise and manage the University's property. Whether this interpretation was intended is not clear.

The objections to the shift of authority from Chancellor to UGC are many. They arise out of doubts as to whether a body consisting primarily of elected students and faculty can be expected to have or develop the expertise to successfully and efficiently fulfill their proposed role and whether the members of this body have the time to devote to such pressing and complicated matters, time which must be taken from their primary pursuits of learning, teaching, and researching. Also, since the members of the body are elected yearly, it is doubtful that such a body is suited for setting and directing the implementation of long range policy. Anyone familiar with the Assembly's own operations must have been struck with the fact that there is a great turnover in students and

regular faculty from year to year. Many of those that are available for duty one year are not available the next. Students drop out, graduate, and transfer. Faculty members go on leave, or their research and teaching duties oblige them to curtail their availability for work on administrative and governance committees. It is feared that too much responsibility is placed on a body whose membership can only be expected to lack the experience, time, and persistent, long-term commitment to efficiently discharge its duties.

The various roles that must be played in a university seem, by their very nature, to prevent everyone from playing an equal role in top-level policy-making and governance. A key to success for such institutions is unity and confidence--an ending of fear and parochial separatism. We will have to trust our Chancellor, our faculty, our Deans, and our students. While systematic procedures have to exist to remove administrators who do not deserve our trust, yet structures are of little importance without positive trust and faith.

The Apportionment Within the UGC

The Assembly document proposes that the UGC shall be comprised of 100 voting members (and a few ex officio members without vote). All voting members are elected. Of the voting members 45 will be students, 45 will be faculty members (also eligible for these seats are administrators who hold faculty rank) and 10 non-faculty staff members.

In discussing appropriate apportionments for bodies like the UGC, it should be kept in mind that a university is, unlike a nation or state, an institution whose purpose it is to foster a few specific activities. It is not an institution within whose framework all of the myriad activities of human life are intended to flourish. It may enhance many activities, but it should do so by engaging in only a few, namely, the pursuit of knowledge and skills within the disciplines and the initiation of students into that pursuit.

It is only reasonable that, other things being equal, the direction of an institution with specific goals should be predominately in the hands of those who are experienced in the pursuit of those goals. It is obvious that those most experienced in the pursuit of knowledge and skills within the disciplines are the faculty of the University, which includes, of course, most of the University's deans, vice chancellors and its Chancellor. It is also the faculty that is most experienced in the initiation of others into the various pursuits that the University fosters. It should not be thought that the students, since they are being taught, are the experts on pedagogy. The faculty have experienced as students far more pedagogy than the average student, and have experienced pedagogy from the perspective of teachers.

The Assembly document would have the governing body of the University constituted predominately (55 percent)

of persons without experience in the disciplines now in pedagogy, viz., the students and non-academic staff. This would be most likely to encumber and perhaps even seriously damage the successful governance of the University. The unfortunate precedent that would be established in the composition of the UGC would probably also be carried over into the restructuring of the colleges and schools which the document seems to be calling for in Sec. XVIII. Although the interest of the students should be one of the major considerations in determining University policy, this interest is not best served by providing the students with a role that is co-equal to the faculty's role in policy determination. The fact that students are concerned about the significance of the University's contribution to society and to their own lives cannot outweigh the fact that they for the most part have neither the time, expertise, experience, maturity, nor long-term commitment to the University that would justify their playing the role that the Assembly document would give them.

All of the above is consonant with maintaining that the students and non-academic staff of a university should participate in determining some features of university policy and that they should be consulted on many others. This participation and consultation should also be formalized in the governing structure of the University. More-

over, the above is consonant with maintaining that policy should be decided openly and explained and justified to those it affects.